



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

648 KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012-2713

ANDREA SHERIDAN ORDIN
County Counsel

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TELEPHONE
(213) 974-7546
FACSIMILE
(213) 613-4751
TDD
(213) 633-0901
E-MAIL
lhafetz@counsel.lacounty.gov

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

#15 OF 12-07-10

Agenda No. 11
11/23/10

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

**Re: PROJECT NUMBER R2009-02239-(5)
CONDITIONAL USE PERMIT NUMBER 2009-00026-(5)
FIFTH SUPERVISORIAL DISTRICT/THREE-VOTE MATTER**

Dear Supervisors:

Your Board previously conducted a public hearing regarding the Regional Planning Commission's approval of the above-referenced permit, which authorizes the construction, operation, and maintenance of a solar electric power generation facility on 2,093 gross acres, located at 170th Street West, north of State Route 138 (Avenue D), in the Antelope Valley West Zoned District. At the completion of the hearing, your Board indicated an intent to approve the permit and instructed us to prepare findings and conditions for approval. Enclosed are findings and conditions for your consideration.

Very truly yours,

ANDREA SHERIDAN ORDIN
County Counsel

By

Lawrence L. Hafetz
LAWRENCE L. HAFETZ
Principal Deputy County Counsel
Property Division

APPROVED AND RELEASED:

John F. Krattli
JOHN F. KRATTLI
Senior Assistant County Counsel

LLH:sh
Enclosure

**FINDINGS OF THE BOARD OF SUPERVISORS
AND ORDER
PROJECT NO. R2009-02239-(5)
CONDITIONAL USE PERMIT NO. 2009-00026-(5)**

1. The Los Angeles County ("County") Board of Supervisors ("Board") conducted a duly-noticed public hearing in the matter of Conditional Use Permit Case No. 2009-00026-(5) ("CUP") on November 23, 2010. The CUP was heard concurrently with Vesting Tentative Tract Map No. 071035 ("Vesting Map"). The County Regional Planning Commission ("Commission") previously conducted a duly-noticed public hearing on the CUP and Vesting Map on June 30, 2010 and September 15, 2010.
2. The permittee, AV Solar Ranch 1, LLC, seeks the CUP to authorize construction, operation, and maintenance of a 230 megawatt photovoltaic solar electric power generation facility on 2,093 gross acres and on-site grading in excess of 100,000 cubic yards in the A-2-5 (Heavy Agricultural - Five Acres Minimum Required Area) zone. The CUP will also authorize installation of 0.75 miles of on-site and 1.50 miles of off-site high-voltage 230 kilovolt electricity transmission lines in the A-2-5 and A-1-2 (Light Agricultural - Two Acres Minimum Required Area) zones.
3. The Vesting Map is a related request to authorize a reversion to acreage of 147 lots to one lot on a 790-acre portion of the project site in the A-2-5 zone.
4. The overall site, as depicted on the approved Exhibit "A," which includes the Vesting Map portion of the site, is located within the following boundary extremes: north and south of State Route 138 (Avenue D) between 155th Street West to the east and 180th Street West to the west, and between West Avenue B-8 to the north and West Avenue E to the south. Not all property within these boundary extremes are part of the project. The Vesting Map portion of the site is bordered by Avenue C to the north, 155th Street West to the east, State Route 138 (Avenue D) to the south, and 170th Street West to the west, as depicted on the Vesting Map. The project is located within the Antelope Valley West Zoned District.
5. The site consists of 33 contiguous parcels on 2,093 acres, including one proposed 790-acre reversion-to-acreage parcel. The site is flat and gently sloping downward to the northeast. All parcels are vacant with the exception of an existing abandoned ranch house and appurtenant facilities located on a parcel adjacent to and south of State Route 138 (Avenue D). All such facilities are proposed to be demolished as part of the project.
6. The proposed 230 megawatt solar photovoltaic electric power generation facility will include and/or entail the optional use of sun-tracking, fixed tilt, or horizontal array units; associated electrical and distribution equipment, including approximately 185 electrical equipment structures, which may be enclosed or

unenclosed; an on-site unenclosed electricity substation; an operations and maintenance building; a 230 kilovolt transmission line approximately 4.25 miles in length (approximately 2.25 miles of which are located within the 170th Street West public right-of-way in unincorporated County, and approximately two miles of which are located on private property and/or the 170th Street West public right-of-way in Kern County), connecting to the Southern California Edison proposed Whirlwind substation facilities in Kern County; undergrounding of all high-voltage transmission lines located in the unincorporated County with the exception of two required above-ground crossings of the public right-of-way; an on-site 34.5 kilovolt transmission line proposed within the 170th Street West public right-of-way and private property; undergrounding of all low-voltage transmission lines with the exception of one above-ground crossing of the public right-of-way, and approximately four required above-ground crossings over jurisdictional drainages within the project site; a maximum of 180,000 cubic yards of balanced grading for flood control management; an employee parking area; perimeter fencing; associated access roads; native landscaping north and south of State Route 138 (Avenue D); a new potable water well and use of existing wells for non-potable uses; two above-ground water tanks (approximately 10,000 and 100,000 gallons, respectively); the construction of an on-site septic and leach-field system; and the demolition of all on-site existing structures, including two residences, a mobile-home, and certain accessory structures. The project will require approximately 150 acre feet per year ("AFY") of water during construction for a period not to exceed 38 months. The on-going operation of the project will require approximately 12 AFY of water, of which three AFY of water are required to be potable.

7. The site is located within the N1 (Non Urban 1) land use designation in the Antelope Valley Areawide General Plan ("Area Plan"), a component of the Los Angeles Countywide General Plan ("General Plan").
8. Pursuant to the Area Plan, non-residential uses in the N1 land use category may include public and semi-public uses typically located in non-urban environs, such as solid and liquid waste disposal sites, utility and communication installations, and schools and other public facilities necessary to serve non-urban populations.
9. The property is zoned A-2-5 (Heavy Agricultural - Five Acre Minimum Required Area).
10. Pursuant to section 22.24.150 of the Los Angeles County Code ("County Code"), the following are permissible uses in the A-2 zone with a CUP: (a) electric distribution substations, electric transmission substations, and generating plants, including microwave facilities used in conjunction thereof; and (b) grading projects, on-site.
11. Six certificates of compliance have been issued on various lots within the site to certify compliance with the California Subdivision Map Act, section 66478.1 et seq., of the California Government Code ("Subdivision Map Act"). The entire

site currently has 179 lots, but after the reversion to acreage pursuant to the Vesting Map, the site will have 33 lots.

12. Surrounding land uses within a 500-foot radius of the site include vacant parcels and the Joshua Tree Woodland Habitat Significant Ecological Area ("SEA") No. 60 to the north and east, and vacant parcels to the south and west. Joshua Tree Woodland Habitat SEA No. 57 is located nearby to the southeast of the site. The project provides undeveloped land buffers to the SEAs and thus does not disturb or intrude into these SEAs.
13. The surrounding areas within a 500-foot radius of the site are zoned A-1-2 (Light Agricultural - Two Acre Minimum Required Area) and A-2-5 to the north and west; A-1-2, A-2-2 (Heavy Agricultural - Two Acre Minimum Required Area) and A-2-5 to the south and east.
14. The project is consistent with the applicable goals and policies of the General Plan as follows:
 - a. Policy No. 2 of the Conservation and Open Space Element provides: "Support the conservation of energy and encourage the development and utilization of new energy sources including geothermal, thermal waste, solar, wind and ocean-related sources." (General Plan, Pg. II-26). The project is consistent with this policy by developing solar energy production facilities.
 - b. Policy No. 3 of the Conservation and Open Space Element provides: "Promote the use of solar energy to the maximum extent possible." (General Plan, Pg. II-26). This policy specifically promotes solar energy, and since the project is a utility-scale solar project proposing 230 megawatts of solar electricity generation, the project is consistent with this policy.
 - c. Policy No. 7 of the Conservation and Open Space Element provides: "Preserve significant ecological areas and habitat management areas by appropriate measures, including preservation, mitigation and enhancement." (General Plan, Pg. II-27). The project is consistent with this policy in that the project site and transmission lines are not located within any designated SEA boundaries. Further, the project will generate minimal air emissions and noise during operations, and human activity will be light, most of which will occur in and around the relatively small area of the on-site operations and maintenance building. Only infrequent maintenance activities will be required at any one time and location within the solar field.
 - d. Policy No. II-15 of the Conservation and Open Space Element Recommended Action Plan provides: "Support stronger tax and cost-saving incentives to encourage greater use of alternative energy sources

such as solar energy and wind power." (General Plan, Pg. VIII-39). The project proposes to use potential federal stimulus funding and federal loan guarantees if the project qualifies under these federal programs.

15. The project is consistent with the applicable goals and policies of the Area Plan and the N1 (Non - Urban 1) land use designation in the Area Plan. The project is a photovoltaic solar electric power generation facility, which meets the definition of a "utility installation" referenced in the Area Plan's list of non-urban non-residential land uses in remote areas (Area Plan, Pg. VI-5). The project is consistent with the following policies of the Area Plan:
- a. Policy No. 18: "Direct future growth away from areas exhibiting high environmental sensitivity to land use development unless appropriate mitigating measures can be implemented." (AVAGP, pg. V-3). The project uses previously disturbed and previously farmed land and avoids SEAs in the vicinity. Additional project design features and mitigation measures have been incorporated to further protect and preserve surrounding habitat in the Antelope Valley. An existing on-site juvenile Joshua Tree recruitment area is avoided by the project;
 - b. Policy No. 19: "Minimize disruption and degradation of the environment as land use development occurs, integrating land uses so that they are compatible with natural environmental systems." (AVAGP, pg. V-3). The project retains natural drainage, limits grading to maintain the topography of the existing site, and provides permeable fencing for retaining animal movement throughout the property. Proposed vegetated swales and limited vegetation retained under and around solar panels provides partial integration of the site with existing habitat;
 - c. Policy No. 40: "Encourage efficient utilization of resources in the allocation of land to various uses, and incorporate energy conservation measures into the design and implementation of public and private projects." (AVAGP, pg. V-6). The project uses materials with an estimated lifespan of 25-30 years, makes little impact on public infrastructure, limits land disturbance, and provides public benefits through generation of renewable energy. The proposed operations building will be constructed in compliance with the green building requirements in the County Code;
 - d. Policy No. 65: "Encourage the locating of new power distribution networks, communication lines, and other service network facilities underground in urban areas. Transmission lines should be located underground where feasible." (AVAGP, pg. V-9). Though not located in an urban area, the project site is subject to long-range planning for the Antelope Valley that envisions minimal visual intrusion by avoiding proliferation of above-ground transmission lines and related support poles. To be consistent with this policy, the on-site low-voltage and on- and off-

site high-voltage transmission lines will be undergrounded, with the exception of: (i) three required above-ground crossings in the unincorporated County area within the public right-of-way, including one point of connection at the Kern County border; and (ii) approximately four required above-ground crossings over jurisdictional drainages within the project site, to minimize visual intrusion and to avoid proliferation of above-ground transmission lines;

- e. Policy No. 66: "Maintain a long-range program for the underground relocation of overhead power distribution facilities, telephone lines, and other utility services in urban areas." (AVAGP, pg. V-9). Many potential applications for renewable energy projects in the Antelope Valley require long-term planning for solar and wind project transmission line installations. Although not located within an urban area, the project site is subject to long-range planning efforts for future development in the area. To be consistent with this policy, the on-site low-voltage and the on- and off-site high-voltage transmission lines will be undergrounded, with the exception of: (i) three required above-ground crossings in the unincorporated County area within the public right-of-way, including one point of connection at the Kern County border; and (ii) approximately four required above-ground crossings over on-site jurisdictional drainages within the project site, to minimize visual intrusion and to avoid proliferation of above-ground transmission lines.
- f. Policy No. 69: "Protect significant vegetation such as the Joshua Tree." (AVAGP, pg. V-9). The project proposes to avoid development in the nearby Joshua Tree Woodlands SEA No. 60 and avoids the removal of, or encroachment upon, mature and younger Joshua Trees located on the site;
- g. Policy No. 70: "Encourage planting of street trees in urban portions of the Antelope Valley." (AVAGP, pg. V-9). Naturally-placed native vegetation, including Joshua Trees, is proposed for screening the site along the north and south sides of State Route 138. The project also proposes to provide additional planting, to maintain street trees, and to provide landscaping in the nearby areas of the Antelope Valley, which may include urbanized areas;
- h. Policy No. 71: "Encourage and support local efforts to attract new industry to the Antelope Valley. While the aerospace and other government related industries should continue to remain as major employment generators, emphasis should also be given to attracting other types of employers." (AVAGP, pg. V-10). The project is a large-scale renewable energy facility that would provide additional employment and new industry opportunities in the growing renewable energy sector within the Antelope Valley;

- i. Policy No. 101: "Develop and use groundwater sources to their safe yield limits." (AVAGP, pg. V-13). During the project's proposed 38-month construction period, a maximum of 150 AFY of water may be used for project construction activities. The project then proposes to limit use of groundwater to a maximum of 12 AFY of water during project operations. Long-term operation of the project requires occasional cleaning of the solar panel surfaces in order to maximize electricity production. Existing wells with projected adequate yield are proposed to be used for non-potable washwater and other non-potable uses. A new well is proposed to provide necessary potable water to supply the operations and maintenance facility and construction workers. Accordingly, the project provides adequate water supply;
- j. Policy No. 114: "As an interim policy, pending construction of regional drainage facilities, require installation of appropriate systems and facilities to retain the increase in storm runoff due to development on the project site or equivalent mitigating measures." (AVAGP, pg. V-14). In addition to retaining natural flow and volumes through the primary drainages on the site, the project proposes to retain natural permeable ground surfaces and to provide drainage swales;
- k. Policy No. 135: "Encourage development to utilize and enhance natural topographic features, thus establishing harmony between the natural and man-made environment." (AVAGP, pg. V-17). Natural drainages will be maintained by the project to retain the natural flow of stormwater, and additional buffering of the main drainage course is proposed for animal movement and ongoing habitat. Permeable fencing is also proposed to enable additional movement for small and moderate sized wildlife. The project proposes to preserve 100 acres onsite as natural open space;
- l. Policy No. 140: "Promote air quality that is compatible with health, well-being, and enjoyment of life. The public nuisance, property, and vegetative damage, and deterioration of aesthetic qualities that result from air pollution contaminants should be prevented to the greatest degree possible." (AVAGP, pg. V-17). The project proposes to stage limited grading and construction over a 38-month period, and to use other standard dust control measures to limit the extent of air pollution from fugitive dust during construction. During operation of the project, native vegetation will be retained and re-vegetated to the greatest extent feasible while complying with fire control clearance requirements. By providing a utility scale solar project, the project will facilitate the use of clean, renewable energy, which in turn will help reduce emissions from other energy sources, thereby promoting improved air quality;
- m. Policy No. 141: "Prohibit the harvesting of Joshua or Juniper trees for fuel purposes or for transplantation out of their normal habitat area." (AVAGP, pg. V-18). The project avoids the nearby Joshua Tree Woodlands SEA

and proposes to avoid development in and removal of young Joshua Trees from the existing on-site Joshua Tree recruitment area; and

- n. Policy No. 217: "Promote use of alternative energy sources (including solar and wind) for heating and cooling." (AVAGP, pg. V-26). The project proposes to produce 230 megawatts of photovoltaic solar electric power for use in California to assist in meeting the state's renewable energy needs and mandates.
16. The project is consistent with the Area Plan guidelines for non-residential uses in non-urban areas (Pages VI-24, 25) as follows:
- a. Location. The project is located on previously disturbed land surrounded by vacant properties and agricultural uses in the general vicinity. Proposed operations are relatively passive similar to existing surrounding uses. Existing primary roadways will be retained to maintain existing circulation patterns in the area. Existing utilities, other public services, and infrastructure are available to the project. The project will also provide native landscaping and open space buffering along State Route 138 as visual mitigation for public passersby. The relatively flat topography, distance from known active faults, and previously farmed and disturbed property, make the location suitable for the proposed development. Accordingly, the project is consistent with the location guidelines of the Area Plan;
 - b. Access. The project proposes to have primary access from 170th Street West, approximately one-half mile north of State Route 138. Such access prevents the hazards associated with the higher speeds on State Route 138 if access were taken directly from the highway. Transport of materials during construction of the project will largely avoid existing residential communities. Accordingly, the project's primary access is consistent with the access guidelines of the Area Plan; and
 - c. Design. The project's first 1,000 feet of solar panels installed adjacent to State Route 138 are proposed to be of a low-profile horizontal or fixed tilt type to maximize views from the highway to the Tehachapi Mountains and other vistas. Additionally, native drought-tolerant shrubs, Joshua Trees, and grasses are proposed to be planted to screen the frontages of solar panel development along State Route 138 on both its north and south sides. The project proposes the most natural placement of plantings as possible, and to use temporary drip systems to cultivate the plantings. Perimeter fencing colored to minimize visual intrusion will be provided for security and safety purposes. The project proposes no outdoor advertising, and its minimal security lighting will be shielded downward to avoid light spillover to neighboring properties and wildlife. Accordingly, the proposed design of the project is consistent with the design guidelines of the Area Plan.

17. The project will comply with all applicable development standards of the A-2 zone. Section 22.24.150 of the County Code lists the following uses as permitted in the A-2 zone with a CUP: "electric distribution substations, electric transmission substations and generating plants, including microwave facilities used in conjunction with any one thereof." The project is a photovoltaic solar electric power generation plant, with distribution substation and transmission lines, which is consistent with such uses in the A-2 zone.
18. The site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and other development features prescribed in Title 22 of the County Code or as is otherwise required in order to integrate the project with the surrounding uses. The project is a photovoltaic solar electric power generation plant, with distribution substation and transmission lines, and complies with the following regulations of Title 22 of the County Code:
 - a. Section 22.24.170.A of the County Code - Front, Side, and Rear Yard Standards. The standards for the A-2 zone require a minimum set back of 20 feet for front yards, five feet for side and corner side yards, 10 feet for reversed corner side yards, and 15 feet for rear yards. The project exceeds these requirements by providing a minimum set back of 50 feet from the property line throughout the site. Further, specific designated areas of the site provide additional set backs and buffering, as shown on the site plans. Accordingly, the project complies with the A-2 zone's yard requirements;
 - b. Section 22.48.160 of the County Code - Fences and Walls. Under the County Code, the maximum permitted fence height ranges from 3.5 feet to 6 feet depending on the location of the involved property. The permittee requests a modification of this standard to allow fencing eight feet in height around the entire perimeter of the site for securing and safety purposes. This modification request is appropriate considering the use and location of the site;
 - c. Chapter 22.52, Part 7 of the County Code - Outside Storage. The County Code requires that all visible outside storage from the exterior boundary of a site shall be enclosed by a solid wall or fence. This requirement, however, does not apply to temporary material staging areas and temporary outdoor worker shelters used during construction. The project may have temporary outside storage during its 38-month construction period but does not propose permanent outside storage for its on-going operations. Accordingly, the project complies with the County Code's outside storage requirements;
 - d. Section 22.52.1220 of the County Code - Parking Requirement For Uses Not Specified. Where parking requirements for a use are not specified in the County Code, parking shall be provided in an amount determined to

be adequate to prevent traffic congestion and excessive on-street parking. Whenever practical, such determination shall be based on the parking requirement for the most comparable use specified in the County Code. Because the parking requirement for the instant project is not specified in the County Code, it has been determined that the most appropriate parking standard for the project is that applicable to an industrial use. Accordingly, under section 22.52.1140 of the County Code, the applicable parking standard is either one parking space per two employees, or one parking space per 500 square feet, where in either case, one handicapped parking space per 40 standard parking spaces is required. The project proposes a 20,000-square-foot operations and maintenance building, which would require 40 standard parking spaces, one of which would be required to be a handicapped parking space. The project complies with this parking requirement;

- e. Chapter 22.52, Part 20 of the County Code - Green Building Requirements. The County's green building standards for energy conservation, indoor and outdoor water conservation, demolition recycling, and LEED Silver or equivalent building construction, will apply to the self-contained, non-warehouse portions of the operations and maintenance building. These standards will also apply to the project's demolition of existing on-site buildings, and to its landscape watering and washwater operations. However, the tree planting requirement of the County's green building standards will require modification, which modification is authorized by the County Code. The proposed operations and maintenance building is located on a single 790-acre lot, and compliance with the green building standards would require planting 10,324 trees. The permittee requests a waiver or modification from this standard, and proposes instead to plant native drought-tolerant shrubs, a limited number of Joshua trees, and numerous native grasses in the most natural pattern as possible within 10 feet of the property's frontage along State Route 138. The permittee further proposes to use a drip system to establish these native plantings. Among other things, the plantings would serve to screen the project from the highway. Additionally, the permittee proposes to offer payment to the County for additional tree plantings, and to provide landscape maintenance along public rights-of-way, in the Antelope Valley. These proposed alternative measures have been deemed appropriate and have been granted by the Director of County Department of Public Works ("Public Works"). Accordingly, the project complies with the County's green building standards;
- f. Chapter 22.52, Part 21 of the County Code - Drought - Tolerant Landscaping. The County's drought-tolerant landscaping standards require use of County-authorized drought-tolerant plant lists, minimum required percentages of drought-tolerant plantings, limitations on the amount of turf, and efficient watering management. The project complies with these requirements; and

- g. Chapter 22.52, Part 22 of the County Code - Low-Impact Development ("LID"). The County's LID standards are designed to limit hydro-modification impacts to natural drainage systems and to manage excess volume from each lot where development occurs so as to infiltrate excess volume at the lot level, or in the alternative, in sub-regional facilities. The project proposes to sustain the primary natural drainage course through the site from southwest to northeast, and to provide numerous vegetated swales throughout the development to infiltrate runoff to the satisfaction of Public Works. Accordingly, the project complies with the County's LID requirements.
19. The project is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate. The existing local roadway system is adequate to serve the project without improvements. During construction, truck traffic will increase in the area, though not to a significant level. During operations, traffic generated by the project's relatively passive operations is minimal. Traffic volume added to the surrounding roadway circulation system, during construction and operation, will have no significant effect at any of the intersections or road segments proximate to the project area. Project conditions and mitigation measures require street pavement conditions to be documented by the permittee prior to and after construction, and for the permittee to make a fair-share payment for any repair and/or reconstruction to the pavement on 170th Street West to the satisfaction of Public Works. The site will include a system of on-site roads to allow access to all areas of the site, and to minimize the need for using public roadways. The on-site roads will be designed and constructed to accommodate the traffic needs of the project and necessary access for emergency services.
20. The project will require minimal public or private service facilities and is adequately served by these facilities. Sanitary needs during construction will be served by portable toilets, and operational needs will be met by an on-site sanitary waste septic system. Electrical power for the project auxiliaries will be supplied during non-daylight hours by back feed from the existing electrical grid, or from the local electrical utility's transmission system. An emergency diesel powered firewater pump may be required to provide power for fire protection in the event that power from the electrical grid is unavailable. The project will not require any natural gas or other fossil fuels for operations. Fuel requirements for on-site equipment or other incidental uses, if any, will be delivered from local sources as needed, but are expected to be minimal.
21. The project will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area; will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare. The project is compatible with surrounding land uses as follows:

- a. The project will not present significant emissions, noise, pollutants, or visual intrusions;
 - b. Human activity and associated traffic to and from the project site will be minimal;
 - c. The project will not create a significant increase to the local population and thus will not increase the level of demand on schools, fire protection, law enforcement, or emergency services;
 - d. The low-profile of the project's solar panels, combined with the generally flat terrain of the project site and surrounding area, will make the project visually compatible with the surrounding environment;
 - e. Aerial photography of the 2,093-acre site provides imagery indicating grading/plowing over the majority of the site years ago. Recycled use of previously disturbed land is preferred for development over using undisturbed native lands for development;
 - f. The passive operation of a photovoltaic solar field provides a compatible "neighbor" to two SEAs, one to the north/northeast of the site and one to the south of the site, on which no additional development is likely to occur;
 - g. Fencing permeable to small and moderate sized animals, a minimum 100-foot-wide drainage and wildlife movement area, screening along State Route 138 with native plants and Joshua Trees, and undergrounding of project transmission lines, all ensure that the project will be compatible with the surrounding area; and
 - h. The majority of other adjacent properties within a 500-foot radius are vacant and not currently developed.
22. Prior to the Commission's public hearing, an Initial Study was prepared for the project in compliance with the California Environmental Quality Act (Public Resources Code section 21000 et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County. Based on the Initial Study, the County Department of Regional Planning ("Regional Planning") determined that an Environmental Impact Report ("EIR") was the appropriate environmental document for the project.
23. Prior to the Commission's public hearing, the Commission received approximately six items of correspondence in support of the project. The proponents cited, among other benefits, the project's creation of renewable energy generation facilities in the area, and its creation of jobs, including "green" jobs. The proponents included the Governor of California; Steve Knight, the State Assemblyman of the 36th District; the City of Lancaster's City Manager; the Antelope Acres Town Council; the president and CEO of the Lancaster and

Rosamond Chambers of Commerce; and the president of the Antelope Valley Board of Trade.

24. Prior to the Commission's public hearing, the Commission received four items of correspondence from private citizens expressing concerns regarding the project. The concerns raised included the resulting loss of agricultural and open space due to the project, the proximity of the project to other existing private properties, the possible negative effect of the project on property values, the project's potential night-lighting spillover, the project's potential impacts to Joshua trees, the amount of earth movement required for the project, the project's fencing type, and the project's potential drainage and stormwater management impacts.
25. The Commission held its initial public hearing session on the matter on June 30, 2010. At the public hearing, the Commission heard a presentation from staff, testimony from the permittee, and testimony from two persons in favor of, and two persons with concerns over the project. After hearing all testimony, the Commission continued the public hearing to September 15, 2010, and directed staff to further address the following:
 - a. The potential for the project to capture rainwater and washwater runoff;
 - b. The potential for the permittee to provide decommissioning financial assurances;
 - c. A cost/benefit comparison of underground versus above-ground transmission line installations;
 - d. An investigation of fencing options so that the project's color could blend with the surrounding terrain;
 - e. The number of tracking solar panels and fixed tilt solar panels proposed;
 - f. The current market rate per kilowatt hour for purchase of electrical power;
 - g. The potential high-value mitigation sites for the required 450 acres of off-site mitigation land;
 - h. The project's night-lighting requirements; and
 - i. The federal funding critical timeline requirements.
26. The Commission held the continued public hearing on the matter on September 15, 2010. At the continued public hearing, the Commission heard a presentation from staff, testimony from the permittee, and testimony from four members of the public in favor of the project. No persons testified in opposition to the project.

27. During the Commission's continued public hearing on September 15, 2010, the president of the Antelope Acres Town Council testified that the Town Council's unanimous support of the project, as reflected in its March 23, 2009 letter to the Commission, continued to represent the Town Council's position regarding the project. A representative of the Desert and Mountains Conservancy also testified that its governing board had approved an agreement with the permittee to receive 450 acres of mitigation land as it became available in accordance with the Mitigation Monitoring and Reporting Program ("MMP") associated with the project. Representatives of the Greater Antelope Valley Economic Alliance and the Los Angeles Economic Development Corporation further testified regarding the economic development benefits of the project.
28. On September 15, 2010, after hearing all testimony, the Commission certified the FEIR ("FEIR"), adopted the associated MMP and CEQA findings of fact, and approved the Vesting Map and associated CUP.
29. On September 24, 2010, pursuant to section 22.60.200(A) of the County Code, Northrop Grumman Systems Corporation ("Northrop") appealed the Commission's decision to the Board. The stated grounds for appeal were that the Commission's certification of the FEIR and approval of the Vesting Map and CUP were unlawful. Although Northrop filed the appeal, it had provided no comments regarding the project throughout the Commission's lengthy public hearing process, including the CEQA public comment period.
30. On November 19, 2010, Northrop submitted a "CEQA Comment Letter" and the "Entitlements Comment Letter" with attachments to the County in support of its appeal. The CEQA Comment Letter alleged that the FEIR did not comply with CEQA mandates, and included an allegation that the FEIR failed to analyze the project's impacts on the operation of Northrop's Tejon Test Facility. In particular, the CEQA Comment Letter alleged that the project would elevate background radar returns, sometimes referred to as "clutter," thereby negatively impacting Northrop's operation of radar testing on Range 1 at the Tejon Test Facility. According to Northrop's letter, such an alleged impact should have been evaluated in the EIR under CEQA. Northrop's Entitlements Comment Letter alleged, among other things, that the approval of the Vesting Map and CUP were not supported by the General Plan and the Area Plan.
31. In response to Northrop's appeal, additional documentation was submitted to the County in support of the project. In this regard, on November 15, 2010, the permittee submitted a letter discussing the permittee's broad outreach efforts in pursuing the project through the entitlement process. On November 16, 2010, the permittee submitted a response to Northrop's appeal addressing the FEIR's full compliance with CEQA and, in the permittee's view, the lawful approval of the Vesting Map and CUP. The permittee's November 16, 2010 letter included a technical report asserting that the project would not have a significant effect on Northrop's ability to operate its Tejon Test Facility for the reasons that: (a) the project will not contribute to clutter for numerous values of radar pulse-repetition

frequency; and (b) for the Range 1 radar parameters considered, the project will possess a clutter signature below the Tejon Test Facility sensitivity threshold. Accordingly, the technical report found the possible clutter from the project would be indistinguishable from current ambient clutter sources. On November 22, 2010, the permittee submitted to the Board, among other documents, a response to Northrop's Entitlements Comment Letter. This response letter addressed the consistency of the Vesting Map and CUP with all applicable laws, including the General Plan, Area Plan, County Code, and Subdivision Map Act.

32. The Board conducted its public hearing on the appeal on November 23, 2010. At the public hearing, the Board heard a presentation from Regional Planning staff, testimony from Northrop and its representatives, testimony from the permittee and its representatives, and testimony from persons in favor of and opposed to the project. One of the project proponents was the president of the Antelope Acres Town Council.
33. At the November 23, 2010 public hearing, Northrop presented its appeal and alleged, among other things, that the project was inconsistent with the General Plan and Area Plan, and that the FEIR failed to comply with the requirements of CEQA. In addition, Northrop submitted a technical report to the Board to support its claim that the permittee's operation will impede its Tejon Test Facility operation.
34. At the conclusion of the Board's public hearing, the Board denied Northrop's appeal, certified the FEIR for the project, including FEIR section 6.0 (Responses to Late Comments), adopted the associated MMP and CEQA findings of fact, and indicated its intent to approve the CUP and Vesting Map.
35. The Board finds that the project was unanimously approved by the Commission on September 15, 2010 and that the project conforms to the General Plan and zoning for the subject property.
36. The Board finds that the County has prepared a comprehensive FEIR for the project, and that the FEIR adequately addresses and/or mitigates all potential environmental impacts of the project, including the environmental impacts alleged by Northrop.
37. The Board finds that there is broad support for the project, including support from local community representatives, civic associations, and elected officials at the local, state, and federal levels.
38. The Board finds that the subject property is of adequate size and shape to accommodate the yards, walls, fences, parking, landscaping, and other accessory structures, as shown on the site plan and Vesting Map.
39. The Board finds that pursuant to section 22.24.150 of the County Code, "electric distribution substations, electric transmission substations and generating plants, including microwave facilities used in conjunction thereof," and "grading projects,

on site" are permitted in the A-2 zone with a CUP. The Board further finds that the project is consistent with this zone because the CUP and Vesting Map will result in the consolidation of smaller lots to develop a large-scale solar electricity generating facility.

40. The Board finds that the technical and engineering aspects of the project have been resolved to the satisfaction of County Departments of Public Works, Fire, Parks and Recreation, Public Health, and Regional Planning.
41. The Board finds that compatibility with the surrounding land uses will be ensured through the MMP and the conditions of the related Vesting Map.
42. The Board finds that there is no evidence that the proposed project will be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the project site.
43. The Board finds that the project will be consistent with the General Plan and Area Plan, and that in determining such consistency, the housing and employment needs of the region were considered and balanced against the public service needs of local residents and available fiscal and environmental resources.
44. The Board finds the site is physically suitable for the type of development proposed, since it has access to a County-maintained street and will be served by an on-site septic system and water well with sufficient capacity to meet domestic and fire protection needs. No residential units are proposed.
45. The Board finds that the design of the project will not cause serious public health problems, since sewage disposal, storm drainage, fire protection, and geological and soils factors are addressed in the CUP and Vesting Map conditions of approval and the associated MMP.
46. The Board finds that the design of the project and its proposed improvements will not cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat.
47. The Board finds that the design of the project provides for future passive and/or natural heating or cooling opportunities where feasible. The majority of the development consists of open air solar panels and associated electrical equipment. Underground transmission lines for the project will be designed to use thermal concrete to provide necessary dispersion of heat.
48. The Board finds that the site is surrounded and served by a network of multiple north-south and east-west oriented roads, which provide redundancy and multiple means of access to surrounding properties such that vacating several roads within the site will not affect access, circulation, or any future uniform distribution system.

49. The Board finds that, to assure the continued compatibility of the project with surrounding land uses, this grant should be limited to a term of 30 years.
50. The Board finds that a FEIR for the project was prepared in accordance with CEQA, the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles, which FEIR consists of the draft EIR dated June 2010, the Responses to Comments dated August 2010, and the FEIR section 6.0 (Responses to Late Comments) dated November 2010. The Board reviewed and considered the FEIR, along with its associated findings of fact, and found that it reflects the independent judgment of the County. The findings of fact are incorporated herein by this reference, as if set forth in full.
51. The Board finds that, after considering the FEIR and the MMP together with any comments during the public review process, on the basis of the whole record before it, and with the mitigation measures set forth and carried out through the MMP, there is no substantial evidence that the project would have a significant effect on the environment.
52. An MMP consistent with the conclusions and recommendations of the FEIR was prepared, and its requirements are incorporated into the conditions of approval for this project.
53. The MMP prepared in conjunction with the FEIR identified in detail how compliance with its measures will mitigate or avoid potential adverse impacts to the environment by the project.
54. The Board finds that this project has not been determined to have no impact on fish and wildlife resources and thus is not exempt from California Department of Fish and Game fees pursuant to section 711.4 of the California Fish and Game Code.
55. Approval of this project is conditioned on the permittee's compliance with the attached conditions of approval and the MMP, as well as the conditions of approval for the Vesting Map.
56. The location of the documents and other materials constituting the record of proceedings upon which the Board's decision is based in this matter is the Los Angeles County Department of Regional Planning, Hall of Records, 13th Floor, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Regional Planning.

BASED ON THE FOREGOING, THE BOARD OF SUPERVISORS CONCLUDES:

- A. That the proposed use with the attached conditions and restrictions will be consistent with the adopted General Plan and Area Plan;

- B. That with the attached conditions and restrictions, the requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area; will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare;
- C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking, and loading facilities, landscaping, and other development features prescribed in Title 22 of the County Code, or as is otherwise required in order to integrate said use with the uses in the surrounding area;
- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and adequately served by other public or private service facilities as are required; and
- E. That the requested use at the proposed location will not adversely affect the economic welfare of the surrounding community, and the development provides adequate vehicular access and parking and loading so as to prevent undue traffic congestion.

THEREFORE, THE BOARD OF SUPERVISORS:

1. Certifies that the FEIR for the project was completed in compliance with CEQA and the State and County Guidelines related thereto; certifies that it independently reviewed and considered the information contained in the FEIR, and that the FEIR reflects the independent judgment and analysis of the Board as to the environmental consequences of the project; indicates that it certified the FEIR at the conclusion of its hearing on the project and adopted the CEQA findings of fact and MMP, finding that pursuant to section 21081.6 of the California Public Resources Code, the MMP is adequately designed to ensure compliance with the mitigation measures during project implementation, and further finding that on the basis of the whole record before it, there is no substantial evidence that the project will have a significant effect on the environment; and
2. Approves Conditional Use Permit Case No. 2009-00026-(5) subject to the attached conditions.

CONDITIONS OF APPROVAL
PROJECT NO. R2009-02239-(5)
CONDITIONAL USE PERMIT CASE NO. 2009-00026-(5)

1. This grant authorizes use of the subject property for: (a) the construction, operation, and maintenance of a 230 megawatt photovoltaic electricity power generation facility on 2,093 gross acres; (b) on-site grading in excess of 100,000 cubic yards; and (c) the installation of 0.75 miles of on-site and 1.50 miles of off-site high-voltage 230 kilovolt electricity transmission lines, all as depicted on the approved Exhibit "A" dated May 18, 2010, subject to all of the following conditions of approval.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or entity making use of this grant.
3. This grant shall not be effective for any purpose unless and until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of, and agree to accept all of the conditions of this grant, and that the conditions have been recorded as required by Condition No. 6, and until all required monies have been paid pursuant to Condition No. 7. Notwithstanding the foregoing, this Condition No. 3, and Condition Nos. 5, 8, and 9 shall be effective immediately upon final approval of this grant.
4. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
5. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the County Regional Planning Commission ("Commission") or a County Hearing Officer may, after conducting a public hearing, revoke or modify this grant if it is found that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public health or safety, or so as to be a nuisance.
6. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the office of the County Registrar-Recorder/County Clerk. In addition, upon any transfer or lease of the subject property during the term of this grant, the permittee shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee, as applicable, of the subject property. Upon recordation, an official copy of the recorded conditions shall be provided to the Director of Regional Planning ("Director").
7. Within three days of the approval date of this grant, the permittee shall remit processing fees payable to the County in connection with the filing and posting of

a Notice of Determination in compliance with section 21152 of the California Public Resources Code for Project No. R2009-02239-(5), which includes this grant and Vesting Tentative Tract Map No. 071035 ("Vesting Map"). Unless a Certificate of Exemption is issued by the California Department of Fish and Game pursuant to section 711.4 of the California Fish and Game Code, the permittee is responsible for the payment of fees established by said department for the project's impacts to fish and wildlife and to defray the cost of wildlife protection and management. The current fee amount is \$2,867.25. No land use project subject to this requirement is final, vested, or operative until the fee is paid.

8. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of section 65009 of the California Government Code or any other applicable limitation period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to reasonably cooperate in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
9. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within 10 days of the filing, pay Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to the permittee or the permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
 - a. If during the litigation process actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation; and
 - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by the permittee in accordance with section 2.170.010 of the Los Angeles County Code ("County Code").

10. This grant shall expire unless used within two years after the recordation of a final map for the Vesting Map. In the event that the Vesting Map should expire

without the recordation of a final map, this grant shall terminate upon the expiration of the Vesting Map. Entitlement to the use of the property thereof, or unrecorded portion thereof, shall be subject to the regulations then in effect.

11. This grant shall terminate 30 years after the final approval date of this grant by the Board. Entitlement to the use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, a new conditional use permit application shall be filed with Regional Planning at least six months prior to said termination date, whether or not any modification of the use is requested at that time.
12. The subject property shall be developed, maintained, and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions.
13. Within 60 days after final approval of this grant, the permittee shall deposit with the County the sum of \$3,000 to be placed in a performance fund to be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. This fund shall provide for 15 biennial inspections (one every other year).

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any condition of this grant, the permittee shall be financially responsible for and shall reimburse Regional Planning for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. The charge for additional inspections shall be the amount equal to the recovery cost at the time of payment. The current recovery cost is \$200 per inspection.

14. The permittee shall comply with all mitigation measures identified in the attached Mitigation Monitoring and Reporting Program ("MMP"), which is incorporated herein in its entirety by this reference.
15. Within 60 days of final approval of this grant, the permittee shall deposit the sum of \$6,000 with Regional Planning in order to defray the cost of reviewing the permittee's reports and verifying compliance with the information contained in the reports required by the MMP.
16. Upon final approval of this grant, the permittee shall contact the County Fire Department to determine the requirements that must be satisfied for fire protection purposes related to the permittee's use. All such requirements shall be satisfied to the satisfaction of and within the timeframe set by said department. In addition, the permittee shall comply with all requirements set

forth in the County Fire Department's letter dated September 2, 2010, attached hereto, to the satisfaction of said department.

17. All development shall comply with the requirements of Title 22 of the County Code ("Zoning Ordinance") and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, or by the approved Exhibit "A" or a revised Exhibit "A" approved by the Director.
18. All structures related to the permittee's use shall conform to the requirements of the County Department of Public Works ("Public Works"), Division of Building and Safety. In addition, the permittee shall comply with all requirements and conditions set forth in Public Works' letter dated June 30, 2010, attached hereto, to the satisfaction of said department.
19. Except for seasonal decorations or signage provided by or for a civic or non-profit organization, all structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage that do not directly relate to the use of the property or provide pertinent information about the premises. In the event any such extraneous markings become visible, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of their visibility, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.
20. The subject property shall be developed and maintained in substantial compliance with the approved Exhibit "A." In the event that subsequent revised plans are submitted, the permittee shall submit four copies of the proposed plans to the Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner(s) for such revisions.
21. Prior to obtaining any building permit, the permittee shall provide the County a decommissioning plan ("Decommissioning Plan") in connection with any and/or all of the terminating events described in Condition No. 23, which Plan shall include, at a minimum, a detailed plan for decommissioning and deconstructing the facility, and for restoration of the site (collectively referred to as "decommissioning"). The Decommissioning Plan shall be developed to the satisfaction of the Director and the Director of Public Works and subject to their review and approval.

The Decommissioning Plan shall provide for, including, but not be limited to, the following:

- a. Removal of solar panel structures and all appurtenant above-ground equipment;
- b. Removal of on-site overhead poles and above-ground electricity lines;
- c. Removal of permanent above-ground transmission lines and poles located in the public right-of-way if determined not usable by Public Works and/or

any other applicable public or private utility. Otherwise such transmission lines and poles shall be allowed to remain;

- d. Removal of the on-site substation, if owned by the permittee. If in the future a public or private utility assumes ownership of the substation, such substation may remain on site to be used as part of the utility service;
 - e. Restoration of any disturbed soil and revegetation of the site to its pre-construction condition, with native vegetation similar to the vegetation in the surrounding vicinity;
 - f. Restoration or reclamation of project roads to their pre-construction condition unless the then-existing owner of the site elects to retain the improved roads for access throughout the site;
 - g. Removal of permanent operations facilities and maintenance buildings unless these facilities and/or maintenance buildings are in a condition as to be reusable by the then-existing owner of the site, as determined by the Director, and the then-existing owner elects to retain such facilities and/or buildings;
 - h. Documentation of the pre-construction condition of the project site, including, but not be limited to, a photographic record; and
 - i. Details of the performance and financial assurance guarantees described in Condition No. 22, explaining the amounts and schedule for the provision of such guarantees.
22. Prior to obtaining any building permits, the permittee shall provide to the County, to the satisfaction of the Director and the Director of Public Works, performance and financial assurance guarantees in an amount sufficient to ensure the performance of the approved Decommissioning Plan, as described in Finding No. 21. In this connection, the permittee shall be solely responsible for the costs and expenses associated with decommissioning the site after any of the terminating events described in Condition No. 23. In the event that the performance and financial assurance guarantees are not sufficient to fully compensate the County for the cost and expense of decommissioning the site, the permittee shall be responsible for compensating the County for any shortfall. In determining the sufficiency of the performance and financial assurance guarantees, the residual value of the solar panels, support structures, and other salvageable equipment (collectively "Salvageable Property") shall be considered.

With respect to the performance and financial assurance guarantees, the following requirements shall apply:

- a. The permittee shall ensure that such guarantees are detailed in the approved Decommissioning Plan to the satisfaction of the Director and the Director of Public Works, and that such Decommissioning Plan shall explain the amounts and schedule for the provision of such guarantees;
- b. The permittee shall provide a report to the Director every five years after the date of final approval of this grant to confirm that the performance and financial assurance guarantees are sufficient to ensure performance and implementation of the Decommissioning Plan. The report shall be subject to review and approval by the Director and the Director of Public Works particularly as to whether the performance and financial assurance guarantees are adequate to meet existing conditions at the time of the report.

A decommissioning pro forma summarizing the residual value of the Salvageable Property shall be included in the report. The pro forma shall include, at a minimum, the expected revenue from all Salvageable Property, as defined in Condition No. 22, the then-current cost of decommissioning the site, as required by the approved Decommissioning Plan, and the then-current value of any performance and financial assurance guarantees that have been provided as of the date of such report. In the event it is determined that the performance and financial assurance guarantees are insufficient to perform the decommissioning of the site as required by the approved Decommissioning Plan, the permittee shall be required to provide additional performance and financial assurance guarantees to the satisfaction of the Director and the Director of Public Works;

- c. Any funds not used by the County in connection with decommissioning the site shall be returned to the permittee; and
- d. The performance and financial assurance guarantees may consist of, including, but not limited to, one or more of the following, to the satisfaction of the Director and the Director of Public Works:
 - 1) An irrevocable letter of credit;
 - 2) A surety bond;
 - 3) An appropriate insurance policy;
 - 4) A trust fund or escrow account established and maintained in accordance with approved financial assurances and practices to guarantee that decommissioning the site will be completed in accordance with the approved Decommissioning Plan; or
 - 5) A corporate guarantee.

23. Upon discontinuance of the permittee's operation as set forth in Condition No. 24, abandonment of the project in whole or in part, or termination of this grant as described in Condition No. 11, and in the event that a new permit application is not timely filed for a continued similar use or reuse of the site, the permittee shall perform decommissioning in accordance with the approved Decommissioning Plan, or compensate the County for use of a County-contracted consultant to perform such decommissioning. In the alternative, and at the County's sole election, the County shall be entitled to use any performance and/or financial assurance guarantees, as described in Condition No. 22(d), to perform the decommissioning itself or to contract for such decommissioning.
24. In the event that any portion of the solar field is not in operational condition for a consecutive period of 12 months, operations for that portion of the site shall be deemed to have been discontinued and that portion of the facility shall be removed from the site within 90 days from the date that written notice is sent to the permittee from the County. Within this 90-day period, the permittee may provide the Director a written request and justification for an extension of up to 12 months to resume operations of that portion of the site, which request shall be subject to the satisfaction and approval of the Director. A second written request and justification for a second extension of up to 12 months may also be submitted, which the Director may grant if the request is adequately justified based on the Director's determination. In no event shall the operations of the solar field or portion of the solar field be discontinued for more than 36 months from the date such operations were first deemed discontinued without being decommissioned pursuant to the approved Decommissioning Plan. Further, in no event shall any extension of the period to resume operations of any portion of the site pursuant to this Condition No. 24 be deemed to extend the term or expiration date of this grant.
25. The permittee shall comply with all requirements set forth in the County Department of Public Health's letter dated February 16, 2010, attached hereto, to the satisfaction of said department. Adequate potable water and sewage facilities shall be provided to the satisfaction of said department.
26. The permittee shall make a one-time payment of \$15,000 to the County, for use by Public Works or the County Department of Parks and Recreation, for tree planting and tree maintenance within the Antelope Valley.
27. The permittee shall dedicate to the California Department of Transportation ("Caltrans"), in fee simple, 100 feet from the centerline of existing State Route 138 on both sides of the right-of-way, from 160th Street West to 170th Street West, and, on the north side of State Route 138, from 170th Street West to 175th Street West, or otherwise to the satisfaction of Caltrans, for a total width not to exceed 200 feet.
28. The permittee shall make an irrevocable offer to the County to dedicate a 10-foot- wide slope easement on both sides of the Caltrans right-of-way

described in Condition No. 27, from 160th Street West to 170th Street West, and, on the north side of the Caltrans right-of-way, from 170th Street West to 175th Street West. The exact location of this slope easement shall be determined once Caltrans identifies the exact location of its right-of-way.

29. The permittee shall construct all transmission lines underground to the satisfaction of Public Works, except where above-ground right-of-way crossings are required, including the two high-voltage and one low-voltage crossings depicted on Exhibit "A," and the approximately four above-ground low-voltage crossings over jurisdictional drainages within the site.
30. The permittee shall use solar panels no greater than 10 feet in height from finished grade for the first 1,000 feet of solar panel arrays on the north and south sides of State Route 138 (Avenue D), measured from the outer edge of the required easement described in Condition No. 28.
31. Temporary structures, outside storage, staging areas, and concrete batching plants allowed for construction shall be removed from the project site within 120 days of project completion, but in no event shall any such temporary structures remain on site for longer than 42 months from the date of building permit issuance absent approval to extend this time period. In the event additional time beyond 42 months is needed to complete removal of temporary structures and related materials, the permittee shall submit a written request to the Director for review and approval for a time extension for up to one year to complete removal of these structures. Any other outside storage needed for the project shall comply with the requirements of Part 7 of section 22.52 of the County Code.
32. Prior to obtaining any building permit, the permittee shall submit to the Director for review and approval three copies of a landscape plan, showing at least 10 feet of proposed landscaped area along the north and south sides of State Route 138 adjacent to the subject property, and north and south of the respective Caltrans right-of-way and County slope easement described in Condition Nos. 27 and 28 respectively, as depicted on Exhibit "A," or as otherwise approved by Caltrans and/or Public Works. The landscape plan shall depict the size, type, and location of all plants, trees, and watering facilities on site.
33. The permittee shall maintain all landscaping in a neat, clean, and a healthful condition and shall properly prune, weed, remove litter, fertilize, and replace plants when necessary. Watering facilities shall consist of a temporary water-efficient irrigation system, such as a drip irrigation, which shall only be used to establish and maintain the plantings in all landscaped areas.
34. All exterior fencing shall be visually non-intrusive to the satisfaction of the Director.

35. Night-lighting, limited to that required by applicable lighting regulations for safety and security, shall be shielded and directed downward to avoid lighting spillover and shall consist of: (a) motion sensor or manual switch lighting for entry-lighting to the on-site equipment structures and electricity substation; and (b) light-sensor or motion-sensor lighting for the main plant access gate and operations and maintenance building doorways and parking area.
36. The permittee shall, to the satisfaction of the Director, utilize the subject property only for the project as proposed and approved herein. In this regard, the permittee shall agree to and shall retire any development rights, including any rights to undertake irrigated farming on the subject property that require the use of groundwater in excess of the groundwater use approved by this grant for the life of this CUP.
37. The proposed project shall be limited to a maximum use of 150-acre-foot per year ("AFY") of groundwater for the duration of the project's 38-month construction period.
38. The proposed project shall be limited to a maximum use of 12 AFY of groundwater for operation of the project for the duration of this grant, except that in the event the required screen landscaping along State Route 138 (Avenue D) is not established after the project's 38-month construction period, a maximum of an additional 3 AFY of groundwater supply beyond the 12 AFY of operational groundwater supply may be drawn for re-establishing such landscaping. The additional 3 AFY of water shall be allowed for only the length of time minimally necessary to re-establish the landscaping.
39. In the event that piped recycled water suitable for use in operating the project becomes available from the public right-of-way adjacent to the project site at fair market value, the permittee shall obtain the necessary permits to connect to the recycled water, construct access, and connect to and purchase the piped recycled water. Notwithstanding any other provision of this grant, at such time that such connection to recycled water has been made pursuant to this Condition No. 39, the 12 AFY of operational groundwater supply allowed by this grant shall be reduced to a maximum of 3 AFY of groundwater.
40. In the event that piped potable water becomes available from the public right-of-way adjacent to the project site at fair market value, the permittee shall obtain the necessary permits to connect to the potable water, construct access, and connect to and purchase the piped potable water. Notwithstanding any other provision of this grant, at such time that such connection to the piped potable water has been made pursuant to this Condition No. 40, the 12 AFY of operational groundwater supply allowed by this grant shall be reduced to a maximum of 1 AFY of groundwater.

41. In the event that potable or non-potable water supply becomes restricted, trucked wash water may be used for non-potable purposes.
42. In the event potable groundwater is restricted in the future, the permittee shall purchase water from County-authorized water purveyors, including County-authorized recycled water purveyors for non-potable uses, or shall otherwise conform to the Court and/or Watermaster rules, regulations, and restrictions, including those rules, regulations, and restrictions that would require the payment of all assessments, if any.

Attachments

Mitigation Monitoring and Reporting Program

Department of Public Health's letter dated February 16, 2010

Department of Public Works' letter June 30, 2010

County Fire Department's letter dated September 2, 2010

MITIGATION MONITORING AND REPORTING PROGRAM^{1,2}
 PROJECT NO. R2009-02239

Mitigation Measures	Action Required	Mitigation Timing	Responsible Agency or Party	Monitoring Agency or Party
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GEOTECHNICAL HAZARDS				
MM 5.2-1: Implementation of Geotechnical Engineering Report Recommendations. The design and construction of the Project shall comply with applicable building codes and standards (e.g., CBC) as well as the recommendations in the geotechnical engineering report (Terracon 2009) to the satisfaction of the Los Angeles County Department of Public Works.	Regular plan check and Site inspection	Prior to issuance of grading permit(s) and During construction	Applicant/Construction Manager	LACDPW

FLOOD HAZARDS

MM 5.3-1: Erosion Control and Stormwater Management Measures. In order to ensure that Project-related erosion and debris deposition as well as stormwater-related impacts would be minimized, the design measures specified in the Drainage Concept Report (Psomas 2009) and the following measures shall be implemented subject to review and approval by the Los Angeles County Department of Public Works (LACDPW):	Submittal and approval of final drainage plan and File Notice of Intent and	Prior to issuance of grading permit and During construction and operation	Applicant/Construction Manager	LACDPW LRWQCB
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- Avoidance of all drainage areas: Construction and operational phase activities shall avoid all on-site drainages and FEMA Zone A floodplain areas. Solar field development shall be set back from the two major drainages (Drainages A and C) by a minimum of approximately 100 feet from the tops of banks for both Drainages A and C. Additionally, all Project development shall be set back a minimum of 100 feet from the FEMA Zone A floodplain for Drainage C.
- Applicant shall comply with NPDES requirements of the Lahontan Regional Water Quality Control Board (LRWQCB) and the LACDPW.

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<p>FIRE HAZARDS</p> <p>MM-5.4-1: Fire Protection and Prevention Plan. The proposed Project shall develop and submit a Fire Protection and Prevention Plan to the LACFD for review and approval prior to issuance of a Grading Permit. The Plan shall address construction and operation activities for the Project, and establish standards and practices that will minimize the risk of fire danger, and in the case of fire, provide for immediate suppression and notification.</p> <p>The Fire Protection and Prevention Plan shall address spark arresters, smoking and fire rules, storage and parking areas, use of gasoline-powered tools, road closures, use of a fire guard, and fire suppression equipment and training requirements. In addition, all vehicle parking areas, storage areas, stationary engine sites and welding areas shall be cleared of all vegetation, and flammable materials. All areas used for dispensing or storage of gasoline, diesel fuel or other oil products shall be cleared of vegetation and other flammable materials. These areas shall be posted with signs identifying they are "No Smoking" areas. An interim fire protection system shall be in place during construction until the permanent system is completed. The Plan shall also address vegetation clearance and maintenance requirements applicable to the transmission pole structures during operation.</p> <p>Special attention shall be paid to operations involving open flames, such as welding, and use of flammable materials. Personnel involved in such operations shall have appropriate training. A fire watch utilizing appropriately classed extinguishers or other equipment shall be maintained during hot work operations. Site personnel shall not be expected to fight fires past the incident stage. The local responding fire officials shall be given information on the site hazards and the</p>	<p>Submittal and approval of Fire Protection and Prevention Plan</p> <p>and</p> <p>Provide training to personnel dealing in operations involving open fires and flammable materials</p> <p>Site inspection</p> <p>and</p> <p>Maintain log demonstrating compliance</p>	<p>Prior to issuance of grading permit</p> <p>and</p> <p>During construction and operation</p>	<p>Applicant/Construction Manager</p> <p>LACFD</p>	<p>LACFD</p>

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Materials brought on-site shall conform to contract requirements, insofar as flame resistance or fireproof characteristics are concerned. Specific materials in this category include fuels, paints, solvents, plastic materials, lumber, paper, boxes, and grating materials. Specific attention shall be given to storage of compressed gas, fuels, solvents, and paint. Electrical wiring and equipment located in inside storage rooms used for Class I liquids shall be stored in accordance with applicable regulations. Outside storage areas shall be graded to divert possible spills away from buildings and shall be kept clear of vegetation and other combustible materials.

On-site fire prevention during construction shall consist of portable and fixed firefighting equipment. Portable firefighting equipment shall consist of fire extinguishers and small hose lines in conformance with Cal-OSHA and the National Fire Protection Association (NFPA) for the potential types of fire from construction activities. Periodic fire prevention inspections shall be conducted by the Manager's safety representative.

Fire extinguishers shall be inspected routinely and replaced immediately if defective or in need of recharge. All firefighting equipment shall be conspicuously located and marked with unobstructed access. A water supply of sufficient volume, duration, or pressure to operate the required firefighting equipment shall be provided on-site. Authorized storage areas and containers for flammable materials shall be used with adequate fire control services. The Operations Fire Protection and Prevention Program shall address the following:

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<ul style="list-style-type: none"> Names and/or job titles responsible for maintaining equipment and accumulation of flammable or combustible material control Procedures in the event of fire Fire alarm and protection equipment System and equipment maintenance Monthly inspections Annual inspections Firefighting demonstrations Housekeeping practices Training 				

WATER QUALITY

Mitigation Measure 5.5-1: On-site Wastewater Treatment System Feasibility Report. Prior to construction/installation of the on-site septic/leach field system, a complete OWTs feasibility report shall be submitted to the LACDPH for review and approval. The feasibility report shall be prepared in conformance with the requirements outlined in the current version of LACDPH guidelines, "On-site Wastewater Treatment System Guidelines."

AIR QUALITY

MM 5.6-1: Ensure AVAQM Construction Emission Thresholds would be Met. Prior to issuance of the grading permit, the Applicant shall select an engineering, procurement, and construction (EPC) contractor to build the Project. The Applicant/EPC contractor shall be required to demonstrate that the final construction plans will not result in exceedances of applicable AVAQM air emission significance.

Mitigation Measure	Submittal and approval of Construction Emissions Report	Prior to issuance of grading permit	Applicant/Construction Manager	AVAQMD LACDRP
<p>Mitigation Measure 5.5-1: On-site Wastewater Treatment System Feasibility Report. Prior to construction/installation of the on-site septic/leach field system, a complete OWTs feasibility report shall be submitted to the LACDPH for review and approval. The feasibility report shall be prepared in conformance with the requirements outlined in the current version of LACDPH guidelines, "On-site Wastewater Treatment System Guidelines."</p>	Submittal and approval of Construction Emissions Report	Prior to issuance of grading permit	Applicant/Construction Manager	AVAQMD LACDRP

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Thresholds during construction of the Project to the satisfaction of AVAQMD and LACDRP.

Prior to issuance of a grading permit, the Applicant shall prepare a report describing the Applicant's final engineering design-based plan for constructing the Project, including: 1) scheduling of construction activities; 2) equipment usage and details; 3) construction workforce loading; 4) truck deliveries schedule; and 5) ground disturbing/dust generating activities, etc. The report shall include emission calculations to demonstrate that the final construction plan will not result in exceedances of all applicable AVAQMD criteria pollutant emissions thresholds to the satisfaction of AVAQMD. The emission calculations shall include consideration of the emission reductions provided by implementation of Mitigation Measures 5.6-2 through 5.6-10, below.

MM 5.6-2: Develop and Implement Fugitive Dust Emission Control Plan. The Applicant shall develop a Fugitive Dust Emission Control Plan (FDECP) for construction work. The FDECP shall be submitted to AVAQMD for review and approval prior to issuance of a grading permit.	Submit and approval of Fugitive Dust Emission Control Plan	Prior to issuance of grading permit and	Applicant/Construction Manager	LACDRP AVAQMD
Measures to be incorporated into the FDECP shall include, but are not limited to the following:	and	During construction		
<ul style="list-style-type: none"> The proposed PM measures (#24 to #44) in AVAQMD's List and Implementation Schedule for District Measures to Reduce PM Pursuant to Health & Safety Code §39614(d) shall be incorporated into the fugitive dust control plan, as applicable. Non-toxic soil binders shall be applied per manufacturer recommendations to active unpaved roadways, unpaved staging 	Maintain log demonstrating compliance and			Site inspection

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<ul style="list-style-type: none"> • Travel on unpaved roads shall be reduced to the extent possible, by limiting the travel of heavy equipment in and out of the unpaved areas. • Water the disturbed areas of the active construction sites at least three times per day, (when soil moisture conditions result in dust generation) and more often if visible fugitive dust leaving the site is noted. • Enclose, cover, water twice daily, and/or apply non-toxic soil binders according to manufacturer's specifications to exposed piles of soils with a five percent or greater silt content. • Maintain unpaved road vehicle travel to the lowest practical speeds, and no greater than 15 miles per hour (mph), to reduce fugitive dust emissions. • All vehicle tires shall be inspected, be free of dirt, and washed as necessary prior to entering paved roadways from the Project site. • Install wheel washers or wash the wheels of trucks and other heavy equipment where vehicles exit the site. • Cover all trucks hauling soil and other loose material, or require at least 2 feet of freeboard. • Establish a vegetative ground cover (in compliance with biological resources impact mitigation measures) or otherwise create stabilized surfaces on all unpaved areas through application of dust palliatives at each of the construction sites within 21 days after active construction operations have ceased. • Prepare contingency for high wind periods (greater than 25 mph). 				

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<ul style="list-style-type: none"> Travel routes to each construction site area shall be developed to minimize unpaved road travel. Travel management shall include staging of deliveries to minimize idling or congestion, use of dust palliatives or soil tackifiers on road surfaces, and minimizing travel distance. 				
<p>MM 5.6-3: Dust Plume Response Requirement. An air quality construction mitigation manager (AQCM) or delegate shall monitor all construction activities for visible dust plumes. Observations of visible dust plumes that have the potential to be transported: 1) off the Project site; 2) 200 feet beyond the centerline of the construction of linear facilities; or 3) within 100 feet upwind of any regularly occupied structures not owned by the Project owner indicate that existing mitigation measures are not resulting in effective mitigation. The AQCM or Delegate shall promptly implement additional dust plume reduction measures in the event that such visible dust plumes are observed. Additional measures to be implemented, as necessary, shall include increased watering, application of dust palliatives, and/or scaled back construction activities up to and including temporary work cessation.</p>	Dust plume monitoring and	During construction	Applicant/Construction Manager	LACDRP AVACMD
<p>MM 5.6-4: Off-road Diesel-fueled Equipment Standards. All portable construction diesel engines not registered under CARB's Statewide Portable Equipment Registration Program, which have a rating of 50 hp or more, and all off-road construction diesel engines not registered under CARB's In-use Off-road Diesel Vehicle Regulation, which have a rating of 25 hp or more, shall meet the</p>	Conduct fleet average calculation annually and	Prior to issuance of grading permit and	Applicant/Construction Manager	LACDRP AVACMD
	Submit and approval of	During construction		

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<p>projected 2011 fleet average of NOx and PM emissions as that predicted by the OFFROAD2007 model in Appendix D. The EPC shall use the CARB Portable Diesel Engine Airborne Toxic Control Measure (ATCM) Fleet Calculators and the Off-road Diesel Fleet Average Calculators (for large/medium fleets) in accordance with the respective regulation under Title 13 of the California Code of Regulations (CCR) to conduct this comparison. No Tier 0 diesel equipment shall be used at the site after the initial calculation/registration without recalculation using the CARB fleet calculators. The fleet average calculation of the on site equipment shall be conducted annually to ensure compliance. The EPC Manager shall ensure labeling of all portable and off road diesel equipment in accordance with Title 13 of the CCR.</p>	<p>Construction Emissions Report and</p>			
	<p>Maintain log demonstrating compliance</p>			
<p>MM 5.6-5: Limit Vehicle Traffic and Equipment Use. Vehicle trips and equipment use shall be limited by efficiently scheduling staff and daily construction activities to minimize the use of unnecessary/duplicate equipment.</p>	<p>Submittal and approval of Construction Emissions Report and</p>	<p>Prior to issuance of grading permit and</p>	<p>Applicant/Construction Manager</p>	<p>LACDRP AVAQMD</p>
	<p>Maintain log demonstrating compliance</p>	<p>During construction</p>		
<p>MM 5.6-6: Heavy Duty Diesel Water Haul Vehicle Equipment Standards. For the pile foundation case (which results in higher air emissions than the ballast foundation case and requires additional mitigation), the EPC shall use 2006 model or newer engines in order to meet the EMFAC predicted emissions levels in grams of pollutant per mile travelled (g/mile) of on-road heavy duty diesel trucks used for water hauling at the site. The EPC contractor shall ensure labeling of</p>	<p>Submittal and approval of Construction Emissions Report and</p>	<p>Prior to issuance of grading permit and</p>	<p>Applicant/Construction Manager</p>	<p>LACDRP AVAQMD</p>
	<p>Maintain log</p>	<p>During construction</p>		

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MM 5.6-7: On-road Vehicles Standards. All on-road construction vehicles shall meet all applicable California on-road emission standards and shall be licensed in the State of California. This does not apply to construction worker personal vehicles.	Maintain log demonstrating compliance	During construction	Applicant/Construction Manager	LACDRP AVAQMD
MM 5.6-8: Properly Maintain Mechanical Equipment. The construction contractor shall ensure that all mechanical equipment associated with Project construction is properly tuned and maintained in accordance with the manufacturer's specifications.	Maintain log demonstrating compliance	During construction	Applicant/Construction Manager	LACDRP AVAQMD
MM 5.6-9: Restrict Engine Idling to 5 Minutes. Diesel engine idle time shall be restricted to no more than 5 minutes as required by the CARB engine idling regulation. Exceptions in the regulation include vehicles that need to idle as part of their operation, such as concrete mixer trucks.	Maintain log demonstrating compliance	During construction	Applicant/Construction Manager	LACDRP AVAQMD
MM 5.6-10: Off-road Gasoline-fueled Equipment Standards. Any off-road stationary and portable gasoline powered equipment brought on site for construction activities shall have USEPA Phase 1/Phase 2 compliant engines, where the specific engine requirement shall be based on the new engine standard in effect two years prior to the commencement of Project construction. In the event that USEPA Phase 1/Phase 2 compliant engines are determined not to be available, the Applicant shall provide documentation to the AVAQMD with an explanation.	Submit and approval of Construction Emissions Report and Maintain log demonstrating compliance	Prior to issuance of grading permit and During construction	Applicant/Construction Manager	LACDRP AVAQMD
MM 5.6-11: Off-road Equipment Operator Worker Protection. Appropriate training for respiratory protection shall be provided to construction workers. Dust masks (NIOSH approved) shall be	Administer training to construction workers and provide NIOSH	Prior to and during construction	Applicant/Construction Manager	LACDRP AVAQMD

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provided with proper training to construction workers to mitigate the protection against dust exposure and possibly Valley Fever during high wind events and/or dust-generating activities.	approved dust masks and			
	Maintain log demonstrating compliance			

BIOLOGICAL RESOURCES

MM 5.7-1: Habitat Enhancement and Vegetation Management Plan. Prior to issuance of a grading permit, the Project Applicant shall develop a Habitat Enhancement and Vegetation Management Plan (HEVMP) to compensate for impacts to existing vegetation communities by preserving and enhancing the remaining vegetation within the Project site. The HEVMP shall also provide measures to ensure minimal impacts to habitat along the off-site transmission line. In areas suitable for on-site mitigation, the HEVMP shall identify appropriate mitigation objectives, standards, and monitoring/reporting requirements to enhance habitat such that the resulting habitat values would be greater than those lost as a result of project implementation. These habitat values would include nesting and foraging habitat for songbirds, foraging habitat for raptors and owls, and high diversity and abundance of native forbs/wildflowers. In areas rendered unsuitable for mitigation due to proposed development, the HEVMP shall identify appropriate restrictions, such as limiting noxious weeds, but shall not impose mitigation standards. The HEVMP shall be prepared by a qualified restoration biologist experienced with desert habitat restoration, and shall specify appropriate revegetation and management practices for the following portions of the Project site to the satisfaction of LACDRP:

Submittal and approval of Habitat Enhancement and Vegetation Management Plan and	Prior to issuance of grading permit and	Applicant/ Qualified Biologist/Construction Manager	LACDRP
Maintain log demonstrating compliance and	During construction and operation		
Site inspection			

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<ul style="list-style-type: none"> Mitigation and Avoidance Areas (refer to Figure 5.7-11 of this DEIR): <ol style="list-style-type: none"> Drainage A, a 100-foot setback, and the associated wildlife travel route (47.1 acres) Drainage B and a 20-foot buffer (approximately 6 acres) The southernmost portion of the Project site along Drainage C, where no development is proposed (45 acres) The Joshua tree recruitment area (8.6 acres, including buffer) Areas of Modified/Impacted Habitat (Unsuitable for Mitigation): <ol style="list-style-type: none"> All portions of the site within the fire breaks (217 acres) All interior portions of the site within the proposed solar arrays, excluding locations of proposed infiltration basins and fire breaks (1,336 acres) All portions of the site to be occupied by proposed infiltration basins (253 acres) 				

In general, for each of the locations enumerated above, the HEVMP shall specify, at a minimum, the following (specific details vary depending on location, and are described in the paragraphs that follow):

- The location and extent of any on-site enhancement/vegetation areas, to be depicted graphically on an aerial photograph or schematic of appropriate scale
- The quantity and species of plants to be seeded (if necessary), including the locations where each type of vegetation would be created

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<ul style="list-style-type: none"> A schedule and action plan to maintain and monitor the enhancement/revegetation areas A list of success criteria (e.g., growth, plant cover, plant/wildlife diversity) by which to measure success of the enhancement/revegetation effort Contingency and/or adaptive management measures in the event that enhancement/revegetation efforts are not successful <p>In addition, the standards and practices set forth in the HEVMP for each area shall conform to the requirements stated below:</p> <ul style="list-style-type: none"> Within the setback zones surrounding Drainage A, Drainage B, and Drainage C the HEVMP shall provide for 10+ acres of on-site mitigation, as well as 6 acres of additional avoidance area (due to its small and isolated nature, the 6-acre area surrounding Drainage B is not included as suitable mitigation land, but would nonetheless be avoided), and shall ensure the following: <ol style="list-style-type: none"> Drainages A, B, and C, including adjacent buffer areas shown on Figures 5.7-7 and 5.7-11, as well as the local wildlife travel route associated with Drainage A, shall be set aside, preserved, and enhanced, and no Project-related disturbance shall be permitted in these areas. Any anthropogenic discontinuities in the existing vegetation (unofficial roads, dump sites, etc.) within the ephemeral drainage setbacks shall be remedied, and such areas shall be seeded with native plant species characteristic of the surrounding vegetation. Vegetative cover in herbaceous communities (grasslands, wildflower fields) shall exceed 95 percent; of this, invasive 				

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<p>forbs (as identified by the Cal-IPC) shall not exceed five percent cover. Bare ground shall not exceed five percent excluding bare ground located within the channel bottom of an ephemeral drainage or bare ground where there is clear evidence that the bare ground was the result of mammal activity (burrows, wildlife trails, etc.).</p> <p>4. Vegetative cover in shrub-dominated communities (desert saltbush scrub, rabbitbrush scrub) shall exceed 90 percent, and shrub cover shall exceed 30 percent. Invasive forbs and shrubs combined shall not exceed five percent cover, and bare ground shall not exceed five percent excluding bare ground located within the channel bottom of an ephemeral drainage or bare ground where there is clear evidence that the bare ground was caused by mammal activity (burrows, wildlife trails, etc.).</p> <p>5. In Drainages A and C and the adjacent setback/buffer areas as shown on Figure 5.7-7, vegetation in the area shall remain suitable for foraging by burrowing owls and other grassland bird species. Habitat enhancement/vegetation shall be implemented if necessary to ensure continued suitability.</p> <p>6. Joshua trees and junipers shall be planted, to improve habitat suitability for sensitive bird species and increase the likelihood that these areas will be occupied by such special-status species as loggerhead shrikes and long-eared owls.</p> <p>• Within the Joshua tree recruitment area, the HEVMP shall provide 8.6 acres of mitigation land, and shall ensure the following:</p>				

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1. The Joshua tree recruitment area and a 50-foot buffer from the Joshua tree seedlings shall be set aside and preserved, and no Project-related disturbance shall be permitted in this area.
2. Any anthropogenic discontinuities in the existing vegetation (other than the County roadbed of West Avenue C, which passes through this area) shall be remedied, and such areas shall be seeded with native plant species characteristic of the surrounding vegetation.
3. Measures shall be implemented to encourage the continued recruitment of Joshua trees into this area. Such measures may include standards for herbaceous and shrub cover, removal of non-native plants and wildlife, and others.
4. To provide nesting and perching habitat and increase structural diversity within restoration areas, native shrub species associated with Joshua tree woodland (including Mojave yucca, sage, box-thorn, and buckwheat, as noted in the County General Plan) shall be included in the planting palette.

Within the proposed fire breaks, no suitable on-site mitigation opportunities exist. However, the HEVMP shall ensure the following:

1. To prevent the potential spread of fire onto the Project site, the proposed fire breaks shall be maintained clear of vegetative cover through mechanical clearing and selective herbicide use.
2. If herbicides are used as approved by LACDRP, to control

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<p>Vegetation, they shall be applied by a qualified individual and in a manner consistent with the product labeling. Under no circumstances shall herbicides be allowed to pass into any ephemeral drainage.</p> <p>3. Under no circumstances shall forb species identified by the California Invasive Plant Council (Cal-IPC) as invasive weeds be allowed to thrive in the fire breaks, or as required by LACFD. Cover of these species, collectively, shall be maintained at or below five percent.</p> <ul style="list-style-type: none"> • Within all interior portions of the site within and adjacent to the proposed solar arrays, excluding locations of proposed infiltration basins, no suitable on-site mitigation opportunities would exist. However, the HEVMP shall ensure the following: <ol style="list-style-type: none"> 1. To control fugitive dust, vegetative cover of grasses and forbs within the proposed solar arrays shall be maximized. 2. Vegetation seeded in these areas shall be comprised of low-growing communities such as native grasslands and wildflower fields, to minimize the effects of vegetation management practices on the revegetated areas. Shrub species shall not be used, as these species would be unable to survive continued vegetation trimming. 3. Under no circumstances shall species identified by the Cal-IPC as invasive weeds be used in the revegetation efforts. 4. To promote the growth of local, native plant species, the top 2-6 inches of topsoil removed during Project-related grading and/or excavation shall be stockpiled and spread across disturbance zones after completion of construction in the 				

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5. To ensure that a seed supply is maintained to perpetuate on-site vegetation (e.g., annual grasses and wildflowers), vegetation shall be allowed to grow to a maximum height of 18 inches between February 1 and approximately mid-April prior to mowing to a height of 6 inches (or less) by May 1 (through the following January) as required by the LACFD.				
6. Herbicides shall be approved for use by the County, and herbicide application shall be performed by trained personnel who can identify the species to be treated. If herbicide is applied, it shall be applied during dry and low wind conditions in order to prevent herbicide drift into non-target areas.				
<ul style="list-style-type: none"> • Within the proposed infiltration basins, no suitable on-site mitigation opportunities exist. However, the HEVMP shall ensure the following: <ol style="list-style-type: none"> 1. If herbicides are used as approved by LACDRP to control vegetation (i.e., non-native vegetation), they shall be applied by a qualified individual and in a manner consistent with the product labeling. Under no circumstances shall herbicides be allowed to pass into any ephemeral drainage. 2. Under no circumstances shall forb species identified by Cal-IPC as invasive weeds be allowed to thrive in the infiltration basins, or as required by LACFD. Cover of these species, collectively, shall be maintained at or below five percent. • Within all portions of the transmission line route to be impacted during installation of transmission line poles and temporary 				

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<p>1. Under no circumstances shall ground disturbance occur within 25 feet of an existing Joshua tree. In applicable areas, Joshua tree avoidance zones shall be delineated with high-visibility construction fencing.</p> <p>2. All areas of temporary ground disturbance shall be revegetated with appropriate plant communities native to the Project region, such as native grasslands, wildflower fields, desert scrub, rabbitbrush scrub, desert saltbush scrub, and Joshua tree woodland.</p> <p>3. Where impacts would occur in existing agricultural lands outside the Applicant's ownership, it is presumed that agricultural practices would resume after completion of construction. Therefore, revegetation shall not be required in these areas.</p> <p>4. If earthwork is proposed in areas where native vegetation exists, the top 2-6 inches of topsoil removed during Project-related ground clearing shall be stockpiled and spread across disturbance zones after completion of construction in the area.</p> <p>5. Under no circumstances shall species identified by the Cal-IPC as invasive weeds be used in the revegetation efforts.</p> <p>6. The HEVMP shall include provisions to minimize the effects of transmission line maintenance on biological resources, including a requirement that no Joshua trees shall be removed during such maintenance.</p>				
<p>In addition to the location-specific requirements set forth above, the</p>				

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<p>HEVMP shall also ensure that the following standards are met or exceeded within the Project site as a whole:</p> <ol style="list-style-type: none"> 1. The HEVMP shall identify appropriate locations for creation of rabbitbrush scrub, California annual grassland, and wildflower fields, the three most abundant existing natural communities on-site, within avoided portions of the Project site. In total, 101 acres of on-site mitigation shall be provided. 2. Performance monitoring of the on-site enhancement and revegetation areas shall be monitored approximately quarterly, in January, April, June, and November, and a report detailing the monitoring results shall be submitted to the LACDRP annually. Monitoring and reporting shall be required for a period of five years and until such time as performance standards are achieved. The HEVMP shall contain contingency measures identifying corrective actions required in the event that the performance standards are not met. 3. All percent cover standards shall be evaluated during the spring biomass peak. 4. Anti-coagulant rodenticides shall not be used within the Project site or along the proposed transmission line route. The HEVMP shall be submitted to the LACDRP for review and approval prior to issuance of a grading permit. 				
<p>MM 5.7.2: Off-site Mitigation for Loss of Habitat. Within one year of Project approval or prior to the installation of 50 MW of photovoltaic solar panels, the Applicant shall provide a minimum of 450 acres of off-site mitigation land to be restored, enhanced, and maintained according to the requirements of this mitigation measure, and shall be</p>	Acquisition of a minimum of 450 acres of off-site mitigation land	Mitigation lands to be acquired within one year of Project approval or prior to the installation of 50 MW of	Applicant/Qualified Biologist	LACDRP

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<p>preserved as open space in perpetuity. Within 45 days of acquiring the mitigation land(s), the Applicant shall record a permanent deed restriction on the mitigation land(s) to be preserved as open space. The deed restriction language shall be submitted to LACDRP for review and approval prior to recordation. Alternatively, should a conservation easement on the mitigation land(s) be offered, the permanent conservation easement(s) shall be recorded to the satisfaction of LACDRP.</p> <p>The off-site mitigation land shall not exceed 10 separate fragments and shall be acquired adjacent to existing public lands, or within or adjacent to SEAs within the Antelope Valley or surrounding foothills. At least 225 acres of the mitigation land shall be acquired in the vicinity of the Antelope Valley California Poppy Reserve, including lands in or adjacent to SEA #57, or lands connecting the Poppy Reserve to the Angeles National Forest. An additional 75 acres shall be acquired within this same area, or in or adjacent to SEA #60, or adjacent to the Arthur B. Ripley Woodland State Park.</p> <p>The Applicant shall establish a fund sufficient for the restoration, enhancement, and maintenance of the mitigation land(s) until such time when the mitigation land(s) become self-sustained and meet the requirements of this mitigation measure. The fund shall be established within 90 days of mitigation land(s) acquisition in an amount acceptable to the LACDRP.</p> <p>The selected off-site mitigation lands shall contain vegetation communities similar to those found within the Project site, including rabbitbrush scrub, annual grassland, and wildflower fields. Although the proposed Project would not significantly impact Joshua tree woodland habitat, lands containing this vegetation community shall</p>	<p>Record permanent deed restriction(s), or conservation easement(s) on the mitigation land(s) to the satisfaction of LACDRP and</p> <p>Submittal and approval of Restoration, Enhancement, and Maintenance Plan and</p> <p>Establish sufficient fund for the restoration, enhancement, and maintenance of the mitigation land(s)</p>	<p>photovoltaic solar panels and</p> <p>Deed restriction(s) or conservation easement(s) to be recorded within 45 days of acquiring mitigation lands and</p> <p>Restoration, Enhancement, and Maintenance Plan shall be submitted within 90 days of recordation of permanent deed restriction(s) or conservation easement(s) and</p> <p>Establish fund within 90 days of mitigation land(s) acquisition</p>		

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also be considered desirable due to the County's concern over the continuing loss and degradation of Joshua tree woodlands. The selected lands shall comply with the following mitigation requirements:

1. The subject property shall be located within the greater Project vicinity, generally defined to include the Antelope Valley and surrounding foothills.
2. The subject property(s) shall contain a minimum of 450 acres of land, which shall be either comprised of vegetation communities characteristic of the Antelope Valley (rabbitbrush scrub, annual grassland, wildflower fields, and/or Joshua tree woodlands) or be reasonably capable of being enhanced and converted to such habitat through the use of maintenance and management practices such that the resulting habitat values would be greater than those lost as a result of Project implementation.
3. The subject property(s) shall either contain a minimum of 224.5 acres of wildflower field, or shall be reasonably capable of being enhanced and converted to this vegetation through maintenance and management practices.
4. The subject property(s) shall provide at least 39 acres of contiguous suitable foraging habitat for the burrowing owl, including presence of suitable burrows. If suitable natural burrows are not present within the subject property, artificial burrows shall be constructed in accordance with California Burrowing Owl Consortium (1993) guidelines.
5. The subject property(s) shall contain a minimum of 450 acres of suitable foraging habitat for grassland/scrubland bird species occurring in the Antelope Valley.

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<p>6. The subject property(s) shall contain habitat suitable for the Blainville's horned lizard. Within the mitigation site, suitable locations shall be identified for relocation of horned lizards captured and removed from the Project site pursuant to Mitigation Measure 5.7.7. Generally, it is presumed that the wildflower field areas required by Item (3) above will be suitable for this species.</p> <p>7. Under no circumstances shall species identified by the Cal-IPC as invasive weeds be used in revegetation efforts.</p> <p>8. The subject property(s) shall be maintained such that invasive forbs (as identified by the Cal-IPC) shall not exceed 5 percent of the vegetative cover.</p> <p>Within 60 days of recordation of the permanent deed restriction(s) or conservation easement(s), a Restoration, Enhancement, and Maintenance Plan for the off-site mitigation land(s) shall be submitted to LACDRP for review and approval. The plan shall include the restoration, enhancement, and maintenance requirements for each mitigation area, based on the characteristics of the mitigation land and the mitigation requirements described above, and shall also include contingency measures in the event that habitat creation/restoration/enhancement efforts are not successful. The Restoration, Enhancement, and Maintenance Plan shall also describe the performance standards for determining when the mitigation requirements for the lands have been met.</p> <p>In addition to meeting the requirements detailed above, the following desirable factors shall also be considered when selecting off-site mitigation property(s):</p> <p>1. Lands located between blocks of protected habitat are desirable locations for off-site mitigation, as protecting these areas can</p>				

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<p>ensure that essential habitat connections remain in perpetuity.</p> <p>2. Lands containing Joshua tree woodland habitat are desirable locations for off-site mitigation, due to the continuing loss and degradation of this resource.</p> <p>3. Lands containing Junipers are also desirable locations for off-site mitigation, due to the nesting habitat they may provide for some special-status bird species.</p> <p>4. Lands containing Important landscape features, sensitive habitats, or listed species are desirable locations for off-site mitigation, due to the sensitivity of these resources and the general understanding that such elements are indicative of high biological value.</p>	<p>Install screening fence and</p> <p>Maintain log demonstrating compliance and</p>	<p>During construction</p>	<p>Applicant/Construction Manager</p>	<p>LACDRP</p>
<p>MM 5.7.3: Biological Restrictions on Dust Suppression. Where construction activities are proposed within 100 feet of mapped Joshua tree woodland vegetation or the Joshua tree recruitment area, a screening fence (i.e., a 6-foot-high chain link fence with green fabric up to a height of 5 feet) shall be installed to protect locations where these sensitive resources may be present to the satisfaction of LACDRP. In addition, dust abatement within 100 feet of these areas shall be achieved by water or by chemical dust suppression if authorized by the County and CDFG.</p>	<p>Site inspection</p>	<p>Conduct weekly nesting bird surveys during nesting/breeding season</p>	<p>Prior to mowing activities during nesting/breeding season</p> <p>Applicant/Qualified Biologist</p>	<p>LACDRP CDFG</p>
<p>MM 5.7.4: Nesting Bird Surveys Prior to Mowing. Should mowing for vegetation management purposes occur during the nesting/breeding season of native bird species potentially nesting on the site (typically February through August in the Project region, or as determined by a qualified biologist), the Applicant shall have weekly</p>	<p>Conduct weekly nesting bird surveys during nesting/breeding season</p>	<p>Prior to mowing activities during nesting/breeding season</p>	<p>Applicant/Qualified Biologist</p>	<p>LACDRP CDFG</p>

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nesting bird surveys conducted. These surveys shall be conducted by a qualified biologist, shall commence within 30 days prior to any mowing, and shall be conducted to determine whether any active nests of special-status bird species, or of any bird species protected by the Migratory Bird Treaty Act or the California Fish and Game Code, are present in the disturbance zone or within 300 feet (500 feet for raptors) of the area to be disturbed. The surveys shall occur on a weekly basis, with the last survey being conducted no more than seven days prior to initiation of mowing activities. If mowing is delayed, then additional surveys shall be conducted such that no more than seven days would have elapsed between the survey and mowing. The Applicant or Manager shall provide the biologist with plans detailing the extent of proposed mowing prior to the survey effort.	Submission and approval of survey reports			

If active nests are found, mowing within 300 feet (500 feet for raptors) of the nest shall be postponed or halted, at the discretion of the biologist, until the nest is vacated and juveniles have fledged, as determined by the biologist, and there is no evidence of a second attempt at nesting. Limits of mowing to avoid an active nest shall be established in the field with highly visible construction fencing, and solar plant personnel shall be instructed on the sensitivity of nest areas. The results of the surveys, including graphics showing the locations of any nests detected, and any avoidance measures implemented, shall be submitted to the LACDRP and CDFG within 14 days of completion of the surveys to document compliance with applicable state and federal laws pertaining to the protection of native birds. Nesting bird surveys shall be conducted in each of the first five years after Project development. At the end of this period, the results

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<p>of the first five years of surveys shall be submitted to the LACDRP and CDFG. After submittal of the first five-year survey results, the County of Los Angeles, under consultation with CDFG, shall determine whether or not the nesting bird surveys shall continue.</p>				
<p>MM 5.7-5: Biological Monitor. Prior to grading, a qualified biologist shall be retained by the Applicant as the biological monitor subject to the approval of the County of Los Angeles. The biological monitor shall ensure that impacts to biological resources are avoided or minimized to the fullest extent possible. During earth moving activities, the biological monitor shall be present to relocate any vertebrate species that may come into harm's way to undisturbed areas of suitable habitat using appropriate methods that would not injure the wildlife. The biological monitor shall have the authority to stop specific grading or construction activities if violations of mitigation measures or any local, state, or federal laws are suspected.</p>	Biological monitoring and	During construction	Applicant/Qualified Biologist	LACDRP
<p>MM 5.7-6: Worker Environmental Education Program. A Worker Environmental Education Program shall be developed for construction crews by a qualified biologist(s) provided by the Applicant. Training materials and briefings shall include but not be limited to: discussion of the value and identification of special-status species, including the burrowing owl and desert tortoise, review of sensitive species likely to occur within the construction area, the Migratory Bird Treaty Act and the consequences of non-compliance with this act, a contact person in the event of the discovery of dead or injured wildlife, and a review of mitigation requirements. The training sessions shall be conducted by a qualified biologist or other individual approved by the biologist. Maps showing the location of special-status wildlife or other construction limitations shall be provided to the environmental monitors and</p>	Administer Worker Environmental Education Program and	Prior to and ongoing during construction activities (as needed for new construction workers)	Applicant/Qualified Biologist/Construction Manager	LACDRP

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construction crews prior to construction activities. As part of the environmental training, Managers and heavy equipment operators shall be provided with photographs or illustrations of expected special-status wildlife species so they will be able to identify them, and avoid harming them during construction.

MM 5.7.7: Blainville's Horned Lizard Capture and Relocation. Prior to the initiation of ground clearing activities, capture and relocation efforts shall be conducted for the Blainville's horned lizard to the satisfaction of LACDRP. Trapping shall be conducted by a County-approved biologist possessing proper scientific collection and handling permits, and shall include the following steps:

Perform capture and relocation efforts	Prior to ground clearing activities	Applicant/County-Approved Biologist	LACDRP
and			
Maintain log demonstrating compliance			

- Prior to initiating the capture and relocation effort, a suitable receptor location shall be identified to receive relocated horned lizards. The receptor locations shall contain suitable habitat for this species, including open, shrub-dominated vegetation. The 45-acre avoidance area near the southern edge of the Project site likely constitutes a suitable on-site receptor location.
- The capture and relocation effort shall take place during the active season (April through October) preceding commencement of ground disturbance activities, when lizards are most likely to be active. Surveys shall be conducted when air temperatures immediately above the ground surface is between 70°F (21°C) and 102°F (39°C). All areas proposed for temporary or permanent ground disturbance shall be surveyed for the Blainville's horned lizard.
- Surveys shall be conducted by placing coverboards on the ground 4 to 6 weeks in advance of the survey effort, and

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checking the area under the coverboards for horned lizards on a weekly basis. Coverboards can consist of untreated lumber, sheet metal, corrugated steel, or other flat material. Captured lizards shall be placed immediately into containers containing sand or moist paper towels and released in designated receptor locations no more than three hours after capture.

- If the biologist believes there is high potential for previously relocated lizards to return to the impact sites following relocation, silt fence shall be installed to prevent relocated individuals from recolonizing areas proposed for disturbance.

MM 5.7.8: Pre-construction Nesting Bird Surveys. Within 30 days prior to vegetation clearing or ground disturbance associated with construction or grading that would occur during the nesting/breeding season of native bird species potentially nesting on the site (typically February through August in the project region, or as determined by a qualified biologist), the Applicant shall have weekly surveys conducted by a qualified biologist to determine if active nests of special-status bird species, or of any bird species protected by the Migratory Bird Treaty Act or the California Fish and Game Code, are present in the disturbance zone or within 300 feet (500 feet for raptors) of the disturbance zone. The surveys shall occur on a weekly basis, with the last survey being conducted no more than seven days prior to initiation of disturbance work. If ground disturbance activities are delayed, then additional pre-disturbance surveys shall be conducted such that no more than seven days will have elapsed between the survey and ground disturbance activities. The Applicant or Manager shall provide the biologist with plans detailing the extent of proposed ground disturbance prior to the survey effort.

Conduct weekly nesting bird surveys during nesting/breeding season and	Nesting bird surveys prior to vegetation clearing or ground disturbance during nesting/breeding season	Applicant/Qualified Biologist	LACDRP CDFG
Submittal and approval of pre-construction nesting bird survey reports			

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<p>If active nests are found, clearing and construction within 300 feet of the nest (500 feet for raptors) shall be postponed or halted, until the nest is vacated and juveniles have fledged, as determined by the biologist, and there is no evidence of a second attempt at nesting. Limits of construction to avoid an active nest shall be established in the field with highly visible construction fencing, and construction personnel shall be instructed on the sensitivity of nest areas. Occupied nests adjacent to the construction site shall also be avoided to ensure nesting success. A qualified biologist shall serve as a construction monitor during those periods when construction activities will occur near active nest areas to ensure that no inadvertent impacts on these nests occur. The results of the surveys, including graphics showing the locations of any nests detected, and documentation of any avoidance measures taken, shall be submitted to the LACDRP and CDFG within 14 days of completion of the pre-construction surveys or construction monitoring to document compliance with applicable state and federal laws pertaining to the protection of native birds.</p>				
<p>MM 5.7.9: Pre-Construction Wintering Burrowing Owl Surveys. If construction or site preparation activities are scheduled during the non-nesting season of the burrowing owl (typically September through January), the Applicant shall retain a qualified biologist to conduct wintering burrowing owl surveys within the area to be disturbed. The survey shall be conducted no more than 21 days prior to commencement of construction activities in the area. During the construction period, the results of the surveys, including graphics showing the locations of any active burrows detected and any avoidance measures required, shall be submitted to the LACDRP and</p>	<p>Submittal and approval of pre-construction wintering burrowing owl survey report(s) during non-nesting season and Submittal and</p>	<p>Prior to and during construction</p>	<p>Applicant/Qualified Biologist</p>	<p>LACDRP CDFG</p>

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CDFG on a monthly basis. If active burrows are detected, the required avoidance measures shall conform to the following:	Action Required	Mitigation Timing	Responsible Agency or Party	Monitoring Agency or Party
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- If burrowing owls are observed using burrows during the non-breeding season, occupied burrows shall be left undisturbed, and no construction activity shall take place within 300 feet of the burrow where feasible (see below).
- If disturbance of owls and owl burrows is unavoidable, owls shall be excluded from all active burrows through the use of exclusion devices placed in occupied burrows in accordance with CDFG protocols (CDFG 1995). Specifically, exclusion devices, utilizing one-way doors, shall be installed in the entrance of all active burrows. The devices shall be left in the burrows for at least 48 hours to ensure that all owls have been excluded from the burrows. Each of the burrows shall then be excavated by hand and refilled to prevent reoccupation. Exclusion shall continue until the owls have been successfully excluded from the disturbance area, as determined by a qualified biologist.
- If construction activities must be initiated in any area of the site during the burrowing owl breeding season (typically February through August), pre-construction surveys for burrowing owls shall be conducted. Any active burrowing owl burrows found at this season shall not be disturbed. Construction activities shall not be conducted within 300 feet of an active burrow at this season.

approval of pre-construction survey report(s) during burrowing owl breeding season and implement avoidance measures, as applicable

MM 5.7-10: Burrowing Owl Management Plan. Prior to issuance of a grading permit, a habitat management plan for the burrowing owl shall be developed for portions of the site supporting suitable habitat for	Submittal and approval of Burrowing Owl	Prior to issuance of grading permit	Applicant/Qualified Biologist	LACDRP CDFG
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<p>burrowing owl and away from Project facilities and the solar panel arrays. Specifically, this plan shall be developed for implementation in the undeveloped areas surrounding Drainage A and in the southernmost portion of the Project site, near West Avenue E. At a minimum, the plan shall include the following elements:</p> <ul style="list-style-type: none"> • If occupied burrows are to be removed, the plan shall contain schematic diagrams of artificial burrow designs and a map of potential artificial burrow locations within Drainage A and Drainage C that would compensate for the burrows removed. • A methodology for the eviction and passive relocation of any owls from the impact area to proactively established artificial burrows. • Provisions for vegetation management, specifying the maximum allowable vegetative cover adjacent to established artificial burrows and the methodology to be used in maintaining the appropriate cover. • Measures prohibiting the use of rodenticides. • The plan shall specify a minimum of 6.5 acres of suitable foraging habitat to be preserved or created through revegetation and restoration practices for every active burrowing owl burrow within the Project site. These mitigation areas shall not be located in areas shaded by the proposed solar arrays, and shall not be subject to vegetation mowing or other fuel management practices. Foraging areas shall be located adjacent to suitable natural or artificial burrow locations. <p>The Burrowing Owl Habitat Management Plan may be prepared and presented either as a stand-alone document or as a component of the HEWMP required by Mitigation Measure 5.7.1, and shall be submitted</p>	Habitat Management Plan			

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<p>To the LACDRP and CDFG for review and approval prior to issuance of a grading permit for the Project.</p>				
<p>MM 5.7.11 Facility Lighting. Project facility lighting shall be designed to provide the minimum illumination needed to achieve safety and security objectives. All lighting shall be directed downward and shielded to focus illumination on the desired areas only and avoid light trespass into adjacent areas. Lenses and bulbs shall not extend below the shields. The lighting plan shall be submitted to LACDRP for review and approval.</p>	<p>Submit and approval of Facility Lighting Plan and Site Inspection</p>	<p>Prior to issuance of building permit</p>	<p>Applicant</p>	<p>LACDRP LACDRP</p>
<p>MM 5.7.12: Desert Kit Fox. To avoid injury or mortality of the desert kit fox, preconstruction surveys shall be conducted for this species concurrent with the pre-construction nesting bird surveys required by Mitigation Measure 5.7.4. A qualified biologist shall perform pre-construction surveys for kit fox dens in the Project site and along the proposed transmission line route, and shall survey all areas where Project facilities, transmission line poles, grading, mowing, equipment access, or other disturbances are proposed. If dens are detected, each den shall be classified as inactive, potentially active, or definitely active. Inactive dens in areas that would be impacted by construction activities shall be excavated by hand and backfilled to prevent reuse by desert kit fox. Active and potentially active dens in areas that would be impacted by construction activities shall be monitored by the biological monitor for three consecutive nights using a tracking medium (such as diatomaceous earth or fire clay) and/or infrared camera stations at the entrance. If no tracks are observed in the tracking medium or no photos of the target species are captured after three nights, the den shall be excavated and backfilled by hand to prevent reuse. If tracks are observed, the den shall be progressively</p>	<p>Submit and approval of Pre-Construction Survey Report(s)</p>	<p>Within 30 days of completion of surveys, and prior to construction (ongoing as construction progresses to new areas)</p>	<p>Applicant/Qualified Biologist</p>	<p>LACDRP CDFG</p>

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<p>blocked with natural materials (rocks, dirt, sticks, and vegetation piled in front of the entrance) for the next three to five nights to discourage the kit fox from continuing to use the den. After verification that the den is unoccupied, it shall then be excavated and backfilled by hand to prevent reuse, while ensuring that no kit fox are trapped in the den. The Applicant shall submit a report to the LACDRP and CDFG within 30 days of completion of the kit fox surveys describing the survey methods, results, and details of any dens backfilled or foxes observed.</p> <p>MM 5.7-13: Pre-construction Desert Tortoise Surveys. Within 30 days prior to construction-related initial ground clearing and/or grading, the Applicant shall retain a qualified biologist to conduct surveys for signs of occupancy by the desert tortoise. Surveys shall be conducted on foot, and intended to detect any live tortoises or their carcasses, burrows, palates, tracks, or scat. Should any desert tortoise sign, indicating the presence of desert tortoise be detected, the Applicant shall not proceed with ground clearing and/or grading activities in the area of the find and shall contact the USFWS and CDFG to develop an avoidance strategy.</p> <p>The results of the pre-construction surveys, including graphics showing the locations of any tortoise sign detected, and documentation of any avoidance measures taken, shall be submitted to the USFWS, CDFG, and LACDRP within 14 days of completion of the pre-construction surveys or construction monitoring to document compliance with applicable federal and state laws pertaining to the protection of desert tortoise.</p>	<p>Conduct desert tortoise surveys and Submittal and approval of pre-construction desert tortoise survey results</p>	<p>Within 30 days prior to construction-related ground clearing and/or grading and Within 14 days of completion of pre-construction surveys or construction monitoring</p>	<p>Applicant/Qualified Biologist</p>	<p>LACDRP USFWS CDFG</p>

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CULTURAL AND PALEONTOLOGICAL RESOURCES				
MM 5.8-1: Avoid Archaeological Sites. Archaeological sites within the proposed Project area shall be avoided and protected from future disturbance or evaluated for significance and mitigated, as appropriate, to the satisfaction of the Los Angeles County Department of Regional Planning (LACDRP).	Maintain log to demonstrate compliance	During construction and operation	Applicant/Construction Manager/Cultural Resources Monitor	LACDRP
MM 5.8-2: Phase II Testing/Phase III Data Recovery. Prior to construction, Phase II testing and evaluation shall be conducted at all unavoidable prehistoric archaeological sites in the proposed Project area to determine their significance under Section 15064.5 of CEQA. Sites determined eligible for the California Register of Historic Resources (CRHR) shall either be avoided and protected from future disturbance, or a Phase III data recovery plan shall be prepared and implemented prior to construction to the satisfaction of LACDRP. All archaeological collections, technical reports and related documentation shall be curated at a curation facility approved by the County of Los Angeles.	Submit and approval of Phase II Report/Phase III Data Recovery Plan, and related documentation, as applicable	Prior to construction	Applicant/Qualified Archaeologist	LACDRP
MM 5.8-3: Archaeological Monitoring. Prior to construction, an archaeological monitoring plan shall be prepared and implemented to the satisfaction of LACDRP. A qualified archaeological monitor shall be present during all ground disturbing activities, including vegetation clearing, grubbing, grading, filling, drilling, and trenching. In the event that any prehistoric or historic cultural resources (chipped or ground stone lithics, animal bone, ashly midden soil, structural remains, historic glass or ceramics, etc.) are discovered during the course of construction, all work in the vicinity shall halt, and the archaeologist shall record the resources on the appropriate California Department of	Submit and approval of Archaeological Monitoring Plan and approval of additional Phase II and Phase III technical reports.	Prior to issuance of grading permit and During construction and Following completion of ground-disturbance construction activities	Applicant/Qualified Archaeologist/Cultural Resources Monitor	LACDRP

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Parks and Recreation (DPR) 523 Series Forms, evaluate the significance of the find, and if significant, determine and implement the appropriate mitigation, including but not limited to Phase III data recovery and associated documentation to the satisfaction of LACDRP. Such activities may result in the preparation of additional Phase II and Phase III technical reports. After ground-disturbing construction activities have been completed, an archaeological construction monitoring report shall be completed and submitted to the LACDRP.	as applicable and Archaeological monitoring and Submittal of Archaeological Construction Monitoring Report			
MM 5.8-4: Native American Monitor. A Native American monitor (Tataviam/Fernadeno Band of Mission Indians) shall be notified prior to construction and allowed the opportunity to be present during all ground disturbing activities, including vegetation clearing, grubbing, grading, filling, drilling, and trenching. In the event that any sacred site or resource is identified, a Native American monitor shall be retained to divert construction activities to another area of the Project site while a proper plan for avoidance or removal is determined to the satisfaction of the LACDRP.	Notify Native American monitor of construction activities and Maintain log to demonstrate compliance and Site inspection	Prior to and during construction	Applicant/Construction Manager/Cultural Resources Monitor	LACDRP
MM 5.8-5: Human Remains. In the event human remains are encountered, construction in the area of the finding shall cease, and the remains shall stay in situ pending definition of an appropriate plan. The Los Angeles County Coroner (Coroner) shall be contacted to determine the origin of the remains. In the event the remains are Native American in origin, the NAHC shall be contacted to determine	Maintain log to demonstrate compliance and	During construction	Applicant/Construction Manager/Cultural Resources Monitor	LACDRP

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AGRICULTURAL RESOURCES				
MM 5.9-1: Transmission Line Williamson Act Review (Kern County). Prior to the construction of the proposed transmission line route within any Williamson Act contracted lands in Kern County, the Applicant shall submit a written site description, along with a plot plan of the proposed transmission line route within the contracted land to the Kern County Planning Department for review and approval.	Submission of documentation demonstrating approval from Kern County Planning Department	Prior to construction of transmission line	Applicant	LACDRP KCPD
VISUAL QUALITIES				
MM 5.10-1: Visual Screening During Construction. Prior to any construction activity within the vicinity of SR-138, temporary screening of construction and staging areas (e.g., via vegetation, or fencing with fabric or slats) shall be installed to minimize visual effects from construction as required by LACDRP.	Install temporary screening, as required and	Prior to construction activities within vicinity of SR-138	Applicant/Construction Manager	LACDRP
	Maintain log to demonstrate compliance and			
	Site inspection			
MM 5.10-2: Construction Housekeeping. During construction, the development site shall be maintained. The Project facility construction site and off-site transmission line route work areas shall be kept clean of debris, trash, or waste.	Maintain development site and	During construction	Applicant/Construction Manager	LACDRP
	Site inspection			
MM 5.10-3: Building and Equipment Paint. All proposed on-site structures and appropriate equipment shall be neutral colors and non-	Submit and approval of building and equipment paint	Prior to issuance of building permit	Applicant	LACDRP

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Mitigation Measures	Action Required	Mitigation Timing	Responsible Agency or Party	Monitoring Agency or Party
<p>MM 5.10-4: Screening Vegetation Landscaping Plan and Maintenance. Prior to issuance of a grading permit, the Applicant shall submit a landscaping plan for the 10-foot-wide strip of Project screening vegetation proposed along both sides of SR-138, to the LACDRP for review and approval. The Plan shall be certified by a registered landscape architect, and shall identify use of temporary irrigation, and the areas on both sides of SR-138 at the Project site to be planted with Joshua trees and/or other native yucca species, and native shrub species, in compliance with the County Drought-Tolerant Landscaping Ordinance. The landscaping shall be installed within 14 months of the commencement of construction activities. The vegetation shall be maintained via selective thinning and removal of invasive weeds and monitored thereafter to promote successful, long-term establishment of the native vegetation to the satisfaction of LACDRP. The landscaped area shall also be maintained free of trash and debris for the Project lifetime to the satisfaction of LACDRP.</p>	<p>palette plans and information</p>	<p>Prior to issuance of grading permit and during construction and operation</p>	<p>Applicant/Registered Landscape Architect/ Construction Manager</p>	<p>LACDRP</p>
<p>MM 5.10-5: Maintenance of SR-138 Caltrans and County Easements. The areas on both sides of the existing Caltrans right-of-way for SR-138 offered for dedication in fee simple by the Applicant to Caltrans and the Irrevocable 10-foot-wide slope easement on both sides of the 200-foot-wide Caltrans right-of-way offered to the County as described in Section 4.2 of this EIR shall be maintained free of trash and debris on an as-needed basis to the satisfaction of LACDRP. The dedicated area for Caltrans shall be maintained by Applicant until such time the deed for the applicable area is transferred to Caltrans, and the slope easement area for the County</p>	<p>Submittal and approval of Screening Vegetation Landscaping Plan and</p>	<p>Site inspection</p>	<p>Maintain log to demonstrate compliance and Site inspection</p>	<p>Applicant/Construction Manager</p>
	<p>Submittal and approval of Screening Vegetation Landscaping Plan and</p>	<p>During construction and operation</p>	<p>Applicant/Registered Landscape Architect/ Construction Manager</p>	<p>LACDRP</p>

AUGUST 10

MITIGATION MONITORING AND REPORTING PROGRAM
 PROJECT NO. R2009-02239

Mitigation Measures shall be maintained by the Applicant until such time that the County installs improvements.

TRAFFIC AND ACCESS

Mitigation Measures	Action Required	Mitigation Timing	Responsible Agency or Party	Monitoring Agency or Party
MM 5.11.1: Provide Adequate Worksite Traffic Control. Prior to any construction activities and/or issuance of required encroachment permits from Caltrans and Los Angeles and Kern counties, the Applicant shall prepare worksite traffic control plans for review and approval from Caltrans, the LACDPW, and the Kern County Resource Management Agency, Roads Department. The plans shall include: 1) the location and usage of appropriate construction work warning signs that shall be placed in accordance with the California Manual on Uniform Traffic Control Devices (Caltrans 2010); 2) proper merging taper and/or shifting lane schematics; and 3) adequate work area and buffer zone designation as well as proper location and conduct of flagmen and the traffic management supervisor at the installation worksite area. The Project worksite traffic control plans shall be coordinated with driver and worker safety in mind. Where the observed speed limit on affected roadways is 55 MPH or more, the plans shall incorporate and implement the following minimum standard requirements per the Work Area Traffic Control Handbook (WATCH):	Submittal and approval of Worksite Traffic Control Plans and	Prior to issuance of grading permit or encroachment permit, where applicable and	Applicant/Construction Manager	LACDRP LACDPW LACFD KCRD
<ul style="list-style-type: none"> A Type C flashing arrow pane shall be used for each closed lane. The minimum height for traffic cones shall be 28 inches. A minimum of three advance warning signs shall be posted. Consideration of advanced safety enhancement measures shall be taken into account for workers in the work zones. <p>The above safety and traffic control measures identified in the traffic control plans shall also be implemented at pole installation sites within</p>	Advance notification of road closures to LACFD and submittal of detour plans	During construction		

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Mitigation Measures	Action Required	Mitigation Timing	Responsible Agency or Party	Monitoring Agency or Party
<p>the public road ROW and/or roadway crossings at a minimum. Additionally, the County, including the LACFD Fire Stations 78, 112, and 140 shall be notified at least three days in advance of any street closures that may affect fire and/or paramedic responses in the area. Applicant shall provide alternate route (detour) plans to the County, including three sets to the LACFD, with a tentative schedule of planned closures, prior to the beginning of construction.</p>				
<p>MM 5.11-2: Document Pre- and Post-Project Construction Pavement Condition of 170th Street West and Pay Fair Share. Prior to issuance of a grading permit, Applicant shall document and submit all required information and/or material pertaining to the pavement conditions of 170th Street West including the formula for calculating the Project's fair share of any repair and/or reconstruction of 170th Street West to the satisfaction of the LACDPW. Applicant shall reimburse the County of Los Angeles for the cost of any repairs and/or reconstruction of 170th Street West attributable to the Project as agreed to by the LACDPW. The timing of any necessary repairs and/or reconstruction of 170th Street West and the required payment by Applicant shall be determined by LACDPW.</p>	<p>Submittal and approval of Pre-Construction Pavement Condition documentation and the Project's fair share formula and</p>	<p>Prior to issuance of grading permit and following construction</p>	<p>Applicant/Construction Manager</p>	<p>LACDPW</p>
<p>MM 5.11-3: Limit 50 Percent of Truck Deliveries to Off-Peak Hours. During the construction phase of the Project, Applicant/EPC contractor shall require equipment and materials suppliers using trucks to make deliveries to the Project site such that at least 50</p>	<p>Payment of fair share Maintain log to demonstrate compliance</p>	<p>During construction</p>	<p>Applicant/Construction Manager</p>	<p>LACDRP</p>

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Mitigation Measures	Action Required	Mitigation Timing	Responsible Agency or Party	Monitoring Agency or Party
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ENVIRONMENTAL SAFETY

MM 5.15-1: Additional assessment, and possibly remediation, of potentially contaminated soils on the Project site. Prior to the issuance of a grading permit, the Applicant shall obtain a site closure letter from the Los Angeles County Fire Department, Health Hazardous Materials Division. The Applicant shall conduct additional site assessment or remediation activities as required by and to the satisfaction of the Voluntary Oversight Program of the CUPA (Los Angeles County Fire Department, Health Hazardous Materials Division).

Perform necessary assessment and remediation, as applicable, and obtain Site Closure letter from LACFD	Prior to issuance of grading permit	Applicant	LACORP LACFD (CUPA)
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Additional assessment and/or remediation may include the following:

- 1) Preparation of applicable Phase II Environmental Site Assessment Work Plans that describe the proposed approach and methods to be used in characterizing shallow soils. The Work Plans shall include the proposed sampling locations, sample collection procedures, analytical methods, quality control measures, and a site-specific health and safety plan. The Phase II ESA(s) shall be submitted to the CUPA for regulatory review and approval.

- 2) Implementation of the Phase II ESA Work Plan(s) with CUPA oversight.

As necessary, Site Remediation Action Plans shall be developed. Upon CUPA concurrence with the recommendations presented in the Phase II ESA(s), remedial action plans shall be prepared for submittal to the CUPA. The remedial action plans shall include the following:

- 1) Remediation goals and cleanup criteria.

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 MITIGATION MONITORING AND REPORTING PROGRAM
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Mitigation Measures	Action Required	Mitigation Timing	Responsible Agency or Party	Monitoring Agency or Party
2) Evaluation of corrective action alternatives that compares the effectiveness, feasibility, and cost benefit of each alternative. The remedial action plans shall take into account existing and proposed uses of the Project area.				
3) Identification of the preferred alternative with consideration of protection of resources within the Project area.				
4) A detailed description of the access points and haul-out routes for remedial activities; remediation methods and procedures; mitigation of dust; minimization or avoidance of disturbance to sensitive ecosystems; and verification soil sampling and analysis. Included in the discussion shall be information on disposal sites, transport and disposal methods, as well as recordkeeping methods for documenting remediation, regulatory compliance, and health and safety programs for on-site workers.				

MM 5.15-2i: A Soil Management Plan for Transmission Line Construction. Prior to issuance of a grading permit, a soil management plan shall be submitted to the CUPA for review and approval. The plan shall include practices that are consistent with the California Title 8, Occupational Safety and Health Administration (Cal-OSHA) regulations, as well as CUPA remediation standards that are protective of the planned use. Appropriately trained construction personnel shall be present during site preparation, grading, and related earthwork activities (e.g., augering) to monitor soil conditions encountered. In order to confirm the absence or presence of hazardous substances associated with former land use, a sampling strategy may be implemented. The sampling strategy shall include procedures regarding logging/sampling and laboratory analyses. The Soil Management Plan shall outline guidelines for the following:

Submit and approval of Soil Management Plan and	Prior to issuance of grading permit for the transmission line and	Applicant/Construction Manager	LACFD (CUPA)
Monitor soil conditions encountered	During construction		

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Mitigation Measures	Action Required	Mitigation Timing	Responsible Agency or Party	Monitoring Agency or Party
<ul style="list-style-type: none"> Identifying impacted soil Assessing impacted soil Soil excavation Impacted soil storage Verification sampling Impacted soil characterization and disposal 				
<p>MM-5.15-3: The historic oil well that requires abandonment or re-abandonment shall be abandoned to current standards. Prior to issuance of a grading permit, an investigation into the location of the historic oil well, reportedly located on the proposed Project site shall be conducted. If the well is determined to be located on the Project site, the well shall be inspected. If the well was not abandoned properly, as determined by the California Division of Oil, Gas, and Geothermal Resources (DOGGR), the well shall be re-abandoned to the satisfaction of DOGGR. The Project development plans shall comply with the required setbacks from oil and gas wells as determined by DOGGR and the County of Los Angeles.</p>	<p>Investigation of historic oil well and</p> <p>If well is determined to be present on the Project site, obtain determination from DOGGR that historic well was properly abandoned or re-abandon the well to the satisfaction of DOGGR</p>	<p>Prior to issuance of grading permit</p>	<p>Applicant/Construction Manager</p>	<p>DOGGR</p>
<p>MM 5.15-4: Demolition Hazardous Building Materials Assessment and Management Plan. Prior to the commencement of any demolition activity on the Project site, the demolition Manager shall prepare a written Demolition Hazardous Building Materials Assessment and Management Program for review and approval by the CUPA, and/or other appropriate regulatory agency. The Demolition Hazardous Building Materials Management Program shall</p>	<p>Submittal and approval of Demolition Hazardous Building Materials Assessment and Management</p>	<p>Prior to commencement of any demolition activity</p>	<p>Applicant/Demolition Manager</p>	<p>LACFD (CUPA) AVAQMD</p>

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Mitigation Measures

	Action Required	Mitigation Timing	Responsible Agency or Party	Monitoring Agency or Party
<p>Include an assessment for lead-based paint (LBP) and asbestos-containing material (ACM) as identified in the URS pre-demolition survey report (URS 2010), and the following plans shall be prepared:</p> <ul style="list-style-type: none"> • Lead-based Paint Abatement and Management Plan. A LBP Abatement Plan shall be prepared and implemented by a qualified Manager. Elements of the plan shall include the following: <ul style="list-style-type: none"> ▪ Containment of all work areas to prohibit off-site migration of paint chip debris. ▪ Removal or encapsulation of all peeling and stratified LBP on building surfaces and on non-building surfaces to the degree necessary to properly complete demolition activities per the recommendations of the survey. The demolition Manager shall properly contain and dispose of intact LBP on all equipment to be cut and/or removed during demolition. ▪ Providing on-site air monitoring during all abatement activities and perimeter monitoring to ensure no contamination of work of adjacent areas. ▪ Cleanup and/or HEPA vacuum paint chips. ▪ Collection, segregation, and profiling waste for disposal determination. ▪ Post-demolition testing of soil to assure that soil at the site is not contaminated by LBP. ▪ Providing for appropriate disposal of all waste. • Asbestos-containing Materials Abatement and Management Plan. Prior to demolition work that shall disturb identified ACMs, an ACM Abatement and Management Plan shall be prepared. 	<p>Program</p> <p>and</p> <p>Notification of demolition activities to AVAQMD</p> <p>and</p> <p>Maintain log to demonstrate compliance</p>			

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Mitigation Measures	Action Required	Mitigation Timing	Responsible Agency or Party	Monitoring Agency or Party
Asbestos abatement shall be conducted during demolition activities, consistent with OSHA and air quality regulations. The Management plan shall include detailed information regarding ACM classification, ACM hazard assessment (the possibility of fiber release from ACM is based on the materials condition, such as friability), ACM inventory information, training and qualification for workers, demolition handling procedures, waste management and disposal procedures, and emergency response procedures (in case of a release of friable materials) licensed asbestos abatement removal Manager shall remove the ACMs under the oversight of a California Certified Asbestos Consultant. All identified ACMs shall be removed and appropriately disposed of by a state-certified asbestos Manager. The proposed Project shall include notification of demolition activities to the Antelope Valley Air Quality Management District.				

LAND USE

Mitigation Measure 5.18-1: Tree Planting Modification. Prior to issuance of a grading permit, the applicant shall obtain authorization to modify the tree planting requirements of the Green Building Ordinance from the Director of Public Works and shall comply with all considerations and other terms of the Green Building Ordinance requirements to the satisfaction of the Director of Public Works (see Sections 22.52.2130, C.5 and Section 22.52.2150 of the County Code).	Obtain authorization to modify the tree planting requirements of the Green Building Ordinance	Prior to issuance of grading permit	Applicant	LACDPW

NOISE

MM 5.18-1: Pile Driver Orientation. In order to reduce the noise levels generated by the vibratory pile driver and comply with all	Maintain log demonstrating	During construction	Applicant/Construction Manager	LACDRP

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Mitigation Measures	Action Required	Mitigation Timing	Responsible Agency or Party	Monitoring Agency or Party
applicable Los Angeles County noise standards, the pile driver shall be oriented such that the rear of the pile driver faces toward the noise-sensitive receptors when the vibratory pile driver is being utilized within 3,000 feet of the receptors.	compliance and			
MM 5.18-2: Construction Equipment Use of Mufflers. Construction equipment and vehicles shall be fitted with efficient and well-maintained mufflers to reduce noise emission levels. In addition, the Project construction equipment and vehicles shall be maintained according to the manufacturers' instructions and recommendations.	Site inspection Maintain log demonstrating compliance	During construction	Applicant/Construction Manager	LACDRP

MITIGATION COMPLIANCE

As a means of ensuring compliance of the above mitigation measures, the Applicant and/or subsequent owner(s) are responsible for submitting an annual mitigation compliance report to the LACDRP for review, and for replenishing the mitigation monitoring account if necessary until such time as all mitigation measures have been implemented and completed.

Submittal of annual mitigation compliance report and Replenishing mitigation monitoring account	Annually until such time as all mitigation measures have been implemented and completed	Project Applicant and Subsequent Owner(s)	LACDRP
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List of Acronyms:

ACM	Asbestos-containing material	Cal-OSHA	California Occupational Safety and Health Administration	CRHR	California Register of Historic Resources
AOCMM	Air quality construction mitigation manager	Caltrans	California Department of Transportation	CUPA	Certified Unified Program Agency
ATCM	Airborne toxic control measure	CARB	California Air Resources Board	DER	Draft Environmental Impact Report
AVACMD	Antelope Valley Air Quality Management District	CBC	California Building Code	DOGGR	California Division of Oil, Gas, and Geothermal Resources
BLM	Bureau of Land Management	CCR	California Code of Regulations	DPR	Department of Parks and Recreation
CalIPC	California Invasive Plant Council	CDFG	California Department of Fish and Game	EIR	Environmental Impact Report
		CEQA	California Environmental Quality Act		

Mitigation Monitoring and Reporting Program

MITIGATION MONITORING AND REPORTING PROGRAM
 PROJECT NO. R2009-02239

Code	Description	Agency	Measurement/Unit	Agency	Measurement/Unit
EPC	Engineering, procurement, and construction	LACDPW	Los Angeles County Department of Public Works	NPDES	National Pollutant Discharge Elimination System
ESA	Environmental Site Assessment	LACORP	Los Angeles County Department of Regional Planning	CSHA	Occupational Safety and Health Administration
F	Fahrrenheit	LACFD	Los Angeles County Fire Department	OWTS	On-site Wastewater Treatment System
FEMA	Federal Emergency Management Agency	LBP	Lead-based paint	PM	Particulate Matter
FDECP	Fugitive dust emission control plan	LRWQCB	Labonlan Regional Water Quality Control Board	RWQCB	Regional Water Quality Control Board
HEPA	high efficiency particulate air	mph	Miles per hour	SEA	Significant ecological area
HEVMP	Habitat enhancement and vegetation management plan	MM	Mitigation Measure	SR	State Route
hd	Horsepower	MW	Megawatt	UCLA	University of California Los Angeles
KCPD	Kern County Planning Department	NAHC	Native American Heritage Commission	USEPA	United States Environmental Protection Agency
KCRD	Kern County Roads Department	NIOSH	National Institute for Occupational Safety and Health	USFWS	United States Fish and Wildlife Service
kV	Kilovolts (unit of electrical potential)	NOx	Oxides of Nitrogen	WATCH	Work Area Traffic Control Handbook (Caltrans)
LACDPH	Los Angeles County Department of Health Services, Public Health				

² The proposed Project consists of the approximately 2,100-acre solar facility site and the off-site 230-kV transmission line in northern Los Angeles County and southern Kern County.



COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040-3027

DATE: September 2, 2010

TO: Department of Regional Planning
Permits and Variances

PROJECT #: R2009-02239 (CUP T200900026)

LOCATION: AV Solar Ranch One - North and South of SR 138 between 155th St. W. and 180th St. W., Antelope Valley

- Comments: THIS PROJECT IS CLEARED BY THE FIRE DEPARTMENT FOR PUBLIC HEARING.
- Water: THE FOLLOWING ITEMS SHALL BE PROVIDED DURING THE BUILDING PLAN CHECK PHASE AND APPROVED BY THE FIRE PREVENTION ENGINEERING SECTION:
1. Water storage requirements for the Operations & Maintenance Building shall be determined in accordance with NFPA 13 and NFPA 1142. The higher yield of water shall be provided in a water storage tank with a draft fire hydrant near the entrance to the facility (10,000 gallon minimum).
 2. An additional water storage tank (10,000 gallon minimum) shall be provided to serve the south quadrant of the project and shall be located near the entrance from 170th Street West. Said tank shall include a draft fire hydrant.
- Access: THE FOLLOWING ITEMS SHALL BE PROVIDED DURING THE BUILDING PLAN CHECK PHASE AND APPROVED BY THE FIRE PREVENTION ENGINEERING SECTION:
1. Paved fire apparatus access as depicted on the plan labeled "Operations & Maintenance Facility Area" is adequate. Said plan is dated 05-05-2010, and is on file in the LDU office.
 2. All weather fire apparatus access to the solar array field and equipment as depicted on the plan labeled "Solar Field Detail" is adequate. Said plan is dated 05-05-2010, and is on file in the LDU office.
- Special Requirements:
1. The plan labeled "Vegetation Management and Fire Control" is adequate. Said plan is dated 05-05-2010, and is on file in the LDU office.
 2. Provide perimeter fencing around entire project to prevent debris collection underneath solar panels.
 3. Provide electrical disconnects in accordance with any State of California photovoltaic guidelines and requirements prior to issuance of a building permit.
 4. This project shall comply with LACoFD "Regulation 27 - Requirements for Building Construction and Land Use Within or Adjacent to High Voltage Transmission Lines".
 5. All fire access gates shall comply with LACoFD "Regulation 5 - Limited Access Devices and Systems".

Fire Protection facilities; including access must be provided prior to and during construction. Should any questions arise regarding this matter, please feel free to call our office at (323) 890-4243

Inspector: **SCOTT JAEGGI**

Land Development Unit – Fire Prevention Division – Office (323) 890-4243 Fax (323) 890-9783

Kim Szalay
February 16, 2010
Page 2

2. The Department has no records indicating that the existing wells on the Project Site were constructed under permit from this Department and are in conformance with the requirements of the California Well Standards. Therefore, the Department will not approve the use of the existing wells for domestic purposes unless the wells have been brought into compliance with the California Well Standards and the standards of Environmental Health. This includes laboratory analysis of the well water for conformance with chemical and bacteriological requirements of the State Drinking Water Standards, as provided in Title 22 of the California Code of Regulations.

For questions regarding potable water requirements, please contact Richard Lavin, Chief, Drinking Water Program, at (626) 430-5370.

Wastewater Disposal

1. Prior to construction / installation of any onsite wastewater treatment system (OWTS), a complete feasibility report shall be submitted to this Department for review and approval. The feasibility report shall be prepared in conformance with the requirements outlined in the Department's guidelines, "Onsite Wastewater Treatment System (OWTS) Guidelines," which was revised in September 2009.
2. If a public sewer connection is available within 200 feet of any part of the proposed O&M building or exterior drainage, all future sewage drainage and piping shall be connected to such public sewer.
3. In the event that the requirements of the Plumbing Code cannot be met on the project Site, due to future grading or for any other reason, the Department will not recommend issuance of any building permits on this site.
4. The applicant is required to contact the Regional Water Quality Control Board to obtain any necessary authorization to proceed with this project.

For questions regarding OWTS requirements, please contact Patrick Nejadian, Chief, Land Use Program, at (626) 430-5380.

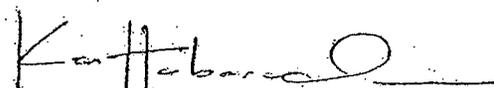
Noise

1. Comply with all applicable requirements of the Los Angeles County Noise Control Ordinance as found in Title 12, Chapter 12.08 of the Los Angeles County Code.
2. Comply with mitigation measures listed in the Final Environmental Impact Report with regard to minimizing construction related noise.

For questions regarding noise control requirements, please contact Cole Landowski, Head, Environmental Hygiene, at (626) 430-5440.

If you have any other questions or require additional information, please contact me at (626) 430-5262.

Sincerely,



Ken Habaradas, MS, REHS
Bureau of Environmental Protection



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

GAIL FARBER, Director

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

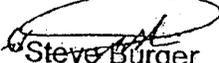
ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

June 30, 2010

IN REPLY PLEASE
REFER TO FILE: LD-1

TO: Mark Child, AICP
Zoning Permits I Section
Department of Regional Planning

Attention Kim Szalay

FROM: 
Steve Burger
Land Development Division
Department of Public Works

**CONDITIONAL USE PERMIT (CUP) NO. RCUP 200900026
ANTELOPE VALLEY SOLAR RANCH ONE
PROJECT NO. R2009-02239
UNINCORPORATED COUNTY AREA OF ANTELOPE VALLEY**

- Public Works recommends approval of this CUP.
- Public Works does **NOT** recommend approval of this CUP.

This supersedes our June 15, 2010. We reviewed the revised site plan for the Solar Ranch One project. The project proposes a 230-megawatt, solar-electric, power-generation facility. The project components consist of photovoltaic panel arrays with electrical distribution equipment, an on-site substation, a 20,000-square-foot operation building, and approximately 3.5 miles of off-site transmission lines.

Upon approval of the site plan, we recommend the following conditions:

1. Water

- 1.1 The proposed project is not within the service area of a water utility. The applicant must provide an adequate sustainable supply of potable water from an approved source to the satisfaction of the County of Los Angeles Department of Public Health. Please contact the Public Health at (626) 430-5380 for water availability approval.

- 1.2 A water system maintained by the property owner, with appurtenant facilities to serve all buildings in the project, must be provided. If required, the system must include fire hydrants of the type and location (both on-site and off-site) as determined by the Fire Department. The water mains shall be sized to accommodate the total domestic and fire flows.

For questions regarding the water requirements, please contact Tony Khalkhali at (626) 458-4921 or by e-mail at tkhalkh@dpw.lacounty.gov.

2 Grading

- 2.1 Obtain all applicable jurisdictional permits. These agencies may include, but may not be limited to, the State of California Regional Water Quality Control Board; State of California Department of Fish and Game; State of California Department of Conservation, Division of Oil, Gas, and Geothermal Resources; and U.S. Army Corps of Engineers.
- 2.2 Submit a grading plan to Public Works' Land Development Division for review and approval.
- 2.3 Acknowledgement and/or approval from all easement holders may be required.
- 2.4 Provide Public Works' Geotechnical and Materials Engineering Division's approval of the grading plan.
- 2.5 Covenants for off-site grading may be required to the satisfaction of Public Works.

For questions regarding the grading requirements, please contact Sam Richards at (626) 458-4921 or by e-mail at srich@dpw.lacounty.gov.

3. Road Improvements

- 3.1 Construction within road right of way and private and future streets shall not occur unless a permit is obtained from Public Works for the proposed work or until Tentative Tract No. 71035 has recorded and eliminated the right of way easements.

- 3.2 Dedicate or offer right of way (minimum of 100 feet from centerline) and slope/drainage easements on Avenue D (State Route 138) to the satisfaction of Caltrans and Public Works. Additional right of way may be required for future grade separation at the intersection of Avenue D and 170th Street West to the satisfaction of Caltrans and Public Works.
- 3.3 Make an offer of private and future right of way, 32 feet from centerline, on Avenue C, Avenue C-8, 155th Street West, and 160th Street West between Avenue C-8, Avenue D, 170th Street West, 175th Street West, and 180th Street West along the project frontage.
- 3.4 Dedicate or offer right of way for a standard knuckle at the intersection of 160th Street West and Avenue C-8 and at 175th Street West and Avenue C to the satisfaction of Public Works.
- 3.5 Dedicate or offer slope, drainage, and maintenance easements along the property frontage on 155th Street West, 160th Street West, 170th Street West, 175th Street West, 180th Street West, Avenue B-8, Avenue C, Avenue C-8, and Avenue D to the satisfaction of Public Works.
- 3.6 Provide a property line return radii of 13 feet at all local street intersections and 27 feet at the intersection of local streets with planned highways (those streets identify on the County Highway Plan), where all planned highways intersect, or where one of the roads serves a commercial or industrial development. Provide additional right of way for corner cut-off to meet current Americans with Disabilities Act guidelines to the satisfaction of Public Works.
- 3.7 Secure any related permits for any work within Caltrans' right of way.
- 3.8 Construct rural secondary highway improvements along the property frontage on 170th Street West, including any required transition paving, to the satisfaction of Public Works.
- 3.9 Provide a full scale (40:1) signing and striping plan for 170th Street West in the vicinity of the project to the satisfaction of Public Works.
- 3.10 Obtain an encroachment permit, or establish a franchise agreement, for any work within the road right of way from Public Works' Construction Division, Subdivision and Permit Section.

- 3.11 Acquire street plan approval or direct check status before obtaining grading or drainage permit.
- 3.12 Execute an Agreement to Improve for the street improvements prior to the issuance of a building or grading permit.

For questions regarding the road requirements, please contact Sam Richards at (626) 458-4921 or by e-mail at srich@dpw.lacounty.gov.

4. Building and Safety

- 4.1 Submit plans and specifications to meet current, applicable, codes and standards for structures, mechanical, plumbing, and electrical.
- 4.2 All electrical installations shall comply with the following criteria:
 - The portion of the project associated with power generation and transmission shall be designed in accordance with the National Electric Safety Code or in accordance with other standards or regulations acceptable to the building official.
 - The nonpower generation and transmission portion of the project shall be designed in accordance with the National Electric Code or in accordance with other standards or regulations acceptable to the building official.
- 4.3 Comply with fire, life safety, structural, and Americans with Disabilities Act guidelines per the current building codes as needed.
- 4.4 The proposed building must have a restroom for employees.
- 4.5 All foundations must be engineered to comply with existing soil conditions.
- 4.6 Comply with the "Agency Referral List," which will include Health, Fire, and other applicable agencies.

For questions regarding the building and safety requirements, please contact Francis Dominguez at (661) 723-4440 or by e-mail at fdomingu@dpw.lacounty.gov.

5. Drainage

- 5.1 Comply with the requirements of the drainage concept/hydrology study/ Standard Urban Stormwater Mitigation Plan/Low-Impact Development Plan, which was conceptually approved on January 27, 2010, to the satisfaction of Public Works.
- 5.2 If the solar panel foundation designs differ significantly from the design in the approved drainage concept, a revised drainage concept may be required to show that there are no additional impacts from the new foundation design (to the satisfaction of Public Works).

For questions regarding the drainage requirements, please contact Christopher Sheppard at (626) 458-4921 or by e-mail at csheppard@dpw.lacounty.gov.

6. Green Building (Tree Planting)

- 6.1 Due to the unique nature of this project and practical difficulties implementing the tree planting required by Section 22.52.2130.C.5 (Green Building Ordinance), the Director of Public Works grants a modification to those requirements per Section 22.52.2150 of the County Code. As one of the requirements of the modification, prior to construction, the developer shall deposit a sum of \$15,000 to the County of Los Angeles for maintenance and enhancement of existing trees in the Antelope Valley. The money shall be deposited into appropriate accounts to Public Works' satisfaction. At Public Works' discretion, the moneys may be allocated to Public Works for street tree maintenance, to the Department of Parks and Recreation for maintenance and enhancement of trees on County parkland, or to both agencies.

For questions regarding the green building requirements, please contact Steve Burger at (626) 458-4943 or by e-mail at sburger@dpw.lacounty.gov.

If you have any other questions or require additional information, please contact Ruben Cruz at (626) 458-4910 or by e-mail at rcruz@dpw.lacounty.gov.

RC:ca

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COUNTY OF LOS ANGELES
Public Health

JONATHAN E. FIELDING, M.D., M.P.H.
Director and Health Officer

JONATHAN E. FREEDMAN
Chief Deputy Director

ANGELO J. BELLOMO, REHS
Director of Environmental Health

ALFONSO MEDINA, REHS
Director of Environmental Protection Bureau

KEN HABARADAS, MS, REHS
Acting Environmental Health Staff Specialist
5050 Commerce Drive
Baldwin Park, California 91706
TEL (626) 430-5780 • FAX (626) 961-2740



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February 16, 2010

Kim K. Szalay, AICP
Principal Regional Planning Assistant
Special Projects Section
County of Los Angeles
Department of Regional Planning
320 West Temple St.
Los Angeles, CA 90012

**SUBJECT: AV SOLAR RANCH ONE PROJECT
COUNTY PROJECT NO. R2009-02239, CUP NO. 200900126
16500 WEST AVENUE D, LANCASTER, CA93536**

- Environmental Health recommends approval of this CUP.
- Environmental Health does NOT recommend approval of this CUP.

This is in response to your request for comments regarding a Conditional Use Permit (CUP) for the project identified above. The Department has reviewed the information provided and has no objection to the approval of this CUP provided that the applicant meets the following conditions:

Potable Water Supply

1. Documentation of an approved water source is required prior to construction / installation of any onsite wastewater treatment system (OWTS). Domestic water supply is proposed to be supplied by the construction of a new well adjacent to the existing irrigation well or in the vicinity of the O&M building. Prior to issuance of any building permits, the applicant shall construct a new well meeting the requirements of Title 11 of the Los Angeles County Code and the California Well Standards. A well drilling permit must be obtained from this Department prior to drilling/construction of the new well. The water supply must meet the requirements of the California Health and Safety Code, Title 22 of the California Code of Regulations, and Title 11 of the Los Angeles County Code.